

# TOWN OF PICTURE BUTTE



## BYLAW MANUAL

Updated January 2025

<b>BYLAW NAME &amp; NUMBER</b>
260-62 – Installation of Water Meters
299-64 – Numbering of Properties
395-70 – Numbering of Streets and Avenues
516-79 – Municipal Planning Commission
548-81 – Town Crest
563-81 – Establishment of a Municipal Library
624-85 – Establishment & Operation of a Regional Landfill
717-95 – Joint General Municipal Plan
723-95 – Subdivision Time Extension
724-95 – Municipal Subdivision
725-95 – Municipal Development Authority
727-95 – Intermunicipal Service Agency
734-96 – Safety Codes Act
752-99 – Appeal Board
756-99 – Disposal of Documents
758-99 – FOIP
759-99 – Sharing Municipal Emergency
764-00 – Oldman River Power of Attorney
772-02 – AMFC Water Treatment Plant
786-04 – Municipal Development Plan
797-06 – Unsightly Premises
798-06 – ATCO Gas Franchise
818-09 – Library Board Members Appointment
819-09 – Debenture – Regional Pipeline
832-13 – Number of Councillors
840-15 – Municipal Emergency Management
841-15 – Land Use Bylaw
844-16 – Direct Control Bylaw – Autumn Estates
846-16 – Bylaw to rescind outdated bylaws
848-16 – LUB Amendment – Sea Cans
849-16 – 2016 Tax Rate
850-16 – ATCO Gas Franchise Agreement
852-16 – Traffic
853-16 – LUB Amendment – Rezoning
855-16 – Procedural Bylaw
857-17 – Rescinding
858-17 – Municipal Borrowing – Line of Credit
861-17 – 2017 Tax Rate Bylaw
863-17 – Election Bylaw
865-18 – Intermunicipal Development Bylaw
866-18 – Noise Bylaw



867-18 – Tax Installment Payment Plan Bylaw
868-18 – Land Use Bylaw Amendment - Cannabis
869-18 – Council Code of Conduct Bylaw
870-18 – 2018 Tax Rate Bylaw
871-18 – Land Use Bylaw Amendment – Administration and Cannabis Rules
872-18 – Utility Bylaw – AMENDED
875-18 – Cannabis Consumption Bylaw
879-19 – Amending Bylaw for 690-92 & 872-18
880-19 – Chinook Intermunicipal Subdivision and Development Appeal Board
881-19 – Borrowing Bylaw
882-19 – Land Use Bylaw Amendment
883-19 – 2019 Tax Rate Bylaw
884-19 – Municipal Enforcement Officer Bylaw
885-19 – Dog Control Bylaw
888-19 – Municipal Borrowing Bylaw – Line of Credit
889-19 – Municipal Emergency Management Bylaw
890-20 – Rescinding Bylaw for Bylaw 874-18 Maples Estates Bylaw
891-20 – Assessor Bylaw
892-20 – Tax and Tax Penalty Bylaw
893-20 – Chief Administrative Bylaw
894-20 – Manufactured Home Community Reporting
895-20 – 2020 Tax Rate Bylaw
897-20 – Amending Bylaw for 872-18 – Utility Bylaw
899-20 – Amending Bylaw for 851-16 – Animal Regulations Bylaw
900-20 – Amending Bylaw for 797-06 – Unsightly Premises Bylaw
901-20 – Land Use Bylaw Amendment – Electronic Signs
902-20 – Procedural Bylaw
904-20 – Fire Protection Bylaw
906-21 – Economic Development Committee Bylaw
907-21 – Police Advisory Committee Bylaw
909-21 – Land Use Bylaw Amendment – Rezone 140 Crescent Ave
910-21 – Land Use Bylaw Amendment – Accessory Buildings
911-21 – Land Use Bylaw Amendment – Urban Reserve
915-21 – Amending Bylaw for 872-18 Utility Bylaw
916-21 – 2021 Tax Rate Bylaw
918-21 – Land Use Bylaw Amendment – Rezone Lot 1, Block 1, Plan 1411186
922-21 – Regional Assessment Review Board Bylaw
923-22 – North Industrial Area Structure Plan Bylaw
924-22 – Borrowing Bylaw – Fire Hall Expansion
926-22 – Urban Hen Bylaw
928-22 – 2022 Tax Rate Bylaw
929-22 – Amending Bylaw for Bylaw No. 892-20 – Tax and Tax Penalty Bylaw

931-22 – Land Use Bylaw Amendment – Temporary Shipping Containers
932-23 – Land Use Bylaw Amendment – Rezone 643 Crescent Avenue
935-23 – 2023 Tax Rate Bylaw
936-23 – Land Use Bylaw Amendment – RUF to Industrial
937-23 – North Industrial Area Structure Plan Amendment
938-23 – Business License Bylaw
939-23 – Service Fees, Rates and Charges Bylaw
940-23 – Tax and Tax Penalty Bylaw
941-23 – Road Closure Bylaw – Crescent Avenue
942-24 – Area Structure Plan – Butte Landing
943-24 – Land Use Bylaw Amendment – Rezone Urban Reserve to Residential Multi-Unit R5
944-24 – Municipal Borrowing Bylaw – Line of Credit
946-24 – Health Professional Attraction and Retention Committee Bylaw
947-24 – Land Use Bylaw Amendment – Rezone 546 Rogers Avenue
948-24 – 2024 Tax Rate Bylaw
949-24 – Parks and Campground Bylaw
950-24 – Amending Bylaw for Bylaw No. 872-18 Utility Bylaw
951-24 – Animal Regulations Bylaw
952-24 – Land Use Bylaw Amendment – Manufactured Homes in a Manufactured Home Park
953-25 – Tax Exemption Bylaw
954-25 – Centennial Celebration Committee Bylaw



TOWN OF PICTURE BUTTE

BY-LAW No. 260/62

A By-Law of the Town of Picture Butte to provide for the installation of Water Meters.

Whereas the Council of the Town of Picture Butte deems it necessary to instal Water Meters in all buildings serviced by the Town water supply;

Now therefore, the Council of the Town of Picture Butte enacts as follows:

That Water Meters be installed in all buildings serviced by the Town water supply.

Read a first time this 14th day of May, 1962.

Read a second time this 14th day of May, 1962.

Read a third time by consent of all councillors present this 14th day of May, 1962, and finally passed.

.....  
Mayor

.....  
Secretary-Treasurer



TOWN OF PICTURE BUTTE

BY-LAW No. 299/64

A By-Law of the Town of Picture Butte to provide for the numbering of all properties in the Town of Picture Butte.

Whereas the Council of the Town of Picture Butte deems it advisable that all properties in the Town of Picture Butte be numbered;

Now therefore, the Council of the Town of Picture Butte enacts as follows:

That all properties in the Town of Picture Butte be numbered;

That said numbers be in accordance to the map attached hereto and marked 'Property Numbers Map No. 1';

That every person who is the registered owner or the purchaser entitled to possession under an agreement of sale of the property shall purchase and instal on the building thereon the proper number;

That in case of default in instalation of said number, the Town of Picture Butte may instal same and charge the owner or purchaser for costs of purchase and installation of same;

That in case of default in payment of the costs of purchase and installation of said property number the Town of Picture Butte may enforce payment by action in a Court of competent jurisdiction or alternately by distress upon and seizure of goods and chattels of the owner or purchaser, or alternately by making the costs in default a charge against or lien upon the property numbered, and in that event the charge so made or lien, shall be subject to the same penalties and shall be collectible by the same procedure as taxes levied by the Town of Picture Butte;

That this by-law shall come into force and take effect on the day of the final passing thereof.

Read a first time this 14th day of December, 1964.

Read a second time this 14th day of December, 1964.

Read a third time by consent of all councillors present this 14th day of December, 1964, and finally passed.

.....*W. Hargre*.....  
Mayor

.....*Arvid J. J. J. J. J.*.....  
Secretary-Treasurer



A By-Law of the Town of Picture Butte which will provide for the numbering of the "streets" and the numbering of the properties in the Town.

Whereas the numbering of streets will assist the general public in the locating of certain areas in the Town

AND WHEREAS the numbering of the properties will further assist the general public

AND WHEREAS the numbering of the properties may be done on a systematic basis in accordance to the street numbers

NOW THEREFORE, the Council of the Town of Picture Butte enacts as follows:

- (a) That a orderly systematic method of property numbering be implemented
- (b) That the previous named streets be numbered as follows:  

High Street	.....	First (1st) Street North
Maple Street	.....	Second (2nd) Street North
Oak Street	.....	Third (3rd) Street North
Centre Street	.....	Fourth (4th) Street North & South
More Street	.....	Fifth (5th) Street North
Lake Street	.....	Sixth (6th) Street North
East Street	.....	Seventh (7th) Street North
Short Street	.....	Eighth (8th) Street North
Angus Drive	.....	Third (3rd) Street South
Clarence Street	.....	Fifth (5th) Street South
Howard Street	.....	Sixth (6th) Street South
- (c) That the following avenues will remain as previously named:  
Gibbons Avenue, Inlet Avenue, Crescent Avenue, Highway Avenue, Cowan Avenue, Watson Avenue, Rogers Avenue, Factory Drive, Centennial Avenue.
- (d) That each property owner or resident be advised of their new address
- (e) That the property owner or resident be instructed to erect or place their ~~house number~~ new house number within sixty (60) days of receipt of their new number

Read a first, second & third time and finally  
Passed at a Council Meeting held Sept 14, 1970

*[Signature]*  
Municipal Administrator  
July 11/80

BYLAW NO. 516/79

WHEREAS Section 20 of the Planning Act, 1977, being Chapter 89 of the Revised Statutes of Alberta and amendment thereto, authorizes the Town of Picture Butte to establish a Municipal Planning Commission.

NOW THEREFORE the Council of the Town of Picture Butte enacts as follows:

1. The Municipal Planning Commission of the Town of Picture Butte is hereby established pursuant to the Planning Act, 1977.
2. This Bylaw may be cited as "Town of Picture Butte Municipal Planning Commission Bylaw".
3. Definitions
  - (a) "Municipality" means The Town of Picture Butte;
  - (b) "Council" means the Municipal Council of the Town of Picture Butte;
  - (c) "Members" means the members of the Municipal Planning Commission appointed pursuant to this Bylaw;
  - (d) "Secretary" means the person appointed by Council to act as secretary of the Municipal Planning Commission;
  - (e) "MPC" means the Municipal Planning Commission of the Town of Picture Butte established by this Bylaw.
  - (f) All other terms used in this Bylaw shall have the same meaning as is assigned to them by the Planning Act, 1977 as amended from time to time.
4. The MPC shall be composed of five (5) persons who are adult residents of the Town of Picture Butte.
5. Appointments to the MPC shall be made by resolution of Council.
6. Appointments to the MPC shall be for a term of 1 year.
7. When a person ceases to be a member of the MPC before the expiration of his term, Council shall appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.
8. The members of the MPC shall elect one of themselves as Chairman and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
9. Each member of the MPC shall be entitled to such remuneration, travelling and living expenses, as may be fixed from time to time by Council and the remuneration, travelling and living expenses shall be paid by the Town of Picture Butte.
10. The Council shall, by resolution, appoint a Secretary who shall be an employee of the Municipality and shall attend all meetings of the MPC but shall not vote on any matter before the MPC.
11. The MPC shall hold meetings as frequently as are necessary on dates to be determined and it may also hold special meetings at anytime at the call of the Chairman.
12. Three of the members of the MPC constitute a quorum.
13. Only those members of the MPC present at a meeting of the MPC shall vote on any matter before it.
14. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole MPC.
15. The MPC may make its orders, decisions, development permits and approvals and issue notices with or without conditions.

16. The Secretary of the MPC shall attend all meetings of the MPC and shall keep the following records with respect thereto:

- (i) the minutes of all meetings,
- (ii) all applications,
- (iii) records of all notices of meetings and of persons to whom they were sent,
- (iv) copies of all written representations to the MPC,
- (v) notes as to each representation,
- (vi) the names and addresses of those making representations at the meeting,
- (vii) the decision of the MPC,
- (viii) the reasons for the decision of the MPC,
- (ix) the vote of the members of the MPC on the decision,
- (x) records of all notices of decision and of persons to whom they were sent,
- (xi) all notices, decisions and orders made on appeal from the decisions of the MPC, and
- (xii) such other matters as the MPC may direct.

17. The Bylaw shall become effective on the date of the third and final reading.

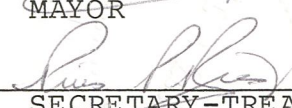
Moved by Councillor Branch that Bylaw # 516/79 be read a first time this 23rd day of July, 1979.  
Carried.

Moved by Councillor Casson that Bylaw # 516/79 be read a second time this 23rd day of July, 1979.  
Carried.

Moved by Councillor Heninger that permission be granted to give third reading to Bylaw # 516/79 at this meeting. Carried unanimously.

Moved by Councillor Watson that Bylaw # 516/79 be read a third time and finally passed this 23rd day of July, 1979. Carried.

  
MAYOR

  
SECRETARY-TREASURER



BYLAW # 548/81

A Bylaw of the Town of Picture Butte to adopt a Town Crest for the Municipality.

WHEREAS Section 145 of the Municipal Government Act, being Chapter 246 of the Revised Statutes of Alberta, 1970, and amendments thereto provides that the Council may by Bylaw, approved by the Lieutenant Governor in Council, adopt a crest or coat of arms for the Municipality, and,

WHEREAS the Act further provides that a person who, without the authority of the Council, assumes or uses the crest or coat of arms or any emblem resembling it is guilty of an offence and liable to a fine, and,

WHEREAS the act further provides that the Council may delegate to the Mayor or other Councillor or appointed official the power to authorize the use of the Municipal Crest.

NOW THEREFORE the Council of the Town of Picture Butte, in the Province of Alberta duly assembled hereby enacts the following:

1. THAT the Town of Picture Butte adopt a Town Crest.
2. THAT the Crest consist of a shield showing the following:
  - (a) Curved lettering representing a chinook arch which announces the arrival of a chinook wind.
  - (b) Landscape lines denoting the Butte, the Coulee at Picture Butte, and the farm land of the region.
  - (c) A wheat stalk on the left and a barley stalk on the right depicting the agricultural area around the Municipality.
  - (d) An irrigation ditch and falling water recognizing the importance of the irrigation system in the centre of which the Town of Picture Butte is located.
3. THAT the Town Crest take the form of the following replica.





4. THAT The Council delegate to the Mayor and Municipal Administrator jointly the power to authorize the use of the Town Crest by any Municipal Organization of the Town of Picture Butte.

5. THAT the crest shall not be placed upon an object which is offered for sale.

6. THAT any person who, without the authority of the Council or its delegate, assumes or uses the Crest of the Town of Picture Butte, or any heraldic emblem so nearly resembling it as to be calculated to deceive, is guilty of an offence and liable on summary conviction to a fine of not more than \$50.00 for every day during which the offence continues.

7. THAT this Bylaw shall become effective upon 3rd and final reading.

MOVED by Councillor Heninger that Bylaw # 548/81 be read a first time this 9th day of March, 1981.  
Carried.

  
\_\_\_\_\_  
ACTING MAYOR

  
\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

MOVED by Councillor Casson that Bylaw # 548/81 be read a second time this 23rd day of March, 1981.  
Carried.

MOVED by Councillor Watson that Bylaw # 548/81 be read a third time and finally passed this 23rd day of March, 1981. Carried.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

I hereby certify that the foregoing is a true and correct copy of a Bylaw duly and unanimously passed and enacted by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 30th day of April 1981, at which a quorum was present, as entered in the minutes of the said Council, and that the said Bylaw is still in full force and effect.

Given under my hand and the seal of the Corporation this 23rd day of March, 1981.

  
\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR



ORDER IN COUNCIL

APPROVED AND ORDERED,

*J. Lynch-Staunton*  
LIEUTENANT GOVERNOR

O.C. 416/81

April 22, 1981

EDMONTON, ALBERTA

WHEREAS the Council of the Town of Picture

Butte has by Bylaw No. 548/81 adopted a Crest:

THEREFORE, upon the recommendation of the

Honourable the Minister of Municipal Affairs, the

Lieutenant Governor in Council, pursuant to section

145 of The Municipal Government Act, approves the

TOWN OF PICTURE BUTTE Bylaw No. 548/81 attached

hereto.

*[Signature]*  
CHAIRMAN

## Bylaw No. 563/81

A Bylaw of the Town of Picture Butte in the Province of Alberta to provide for the establishment of a Municipal Library.

WHEREAS the Council of the Town of Picture Butte deems it expedient to propose the establishment of a Municipal Library.

NOW THEREFORE with the authority and under the provisions of Part III of "The Libraries Act" and Amendments thereto, being Chapter 206 of the Revised Statutes of Alberta, 1970, the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

1. There shall be established a Municipal Library for the Town of Picture Butte.
2. The Municipal Library shall be managed, regulated and controlled by a Library Board.
3. The policies of the Municipal Library Board shall be governed by parts III and VII of "The Libraries Act" and Amendments and Regulations pertaining thereto.
4. This Bylaw shall take effect on the date of the final passing thereof.

MOVED BY Councillor Finch that Bylaw # 563/81 be read a first time this 26th day of October, 1981. Carried.

MOVED BY Councillor Butler that Bylaw # 563/81 be read a second time this 26th day of October, 1981. Carried.

MOVED by Councillor Heninger that permission be granted to give third reading to Bylaw # 563/81 at this meeting. Carried Unanimously.

MOVED by Councillor Casson that Bylaw # 563/81 be read a third time and finally passed this 26th day of October, 1981. Carried.

*cc*  
*2. 27. 2. 11*  
\_\_\_\_\_  
MAYOR

*[Signature]*  
\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

Bylaw # 624/85

Being a Bylaw of the Town of Picture Butte of the Province of Alberta to enter into an agreement with the participating Municipalities within the boundaries of the County of Lethbridge No. 26 Regional Sanitary Landfill Authority, as agreed upon the participating Municipalities from time to time, to provide for the joint establishment and operation of a regional waste system.

WHEREAS Section 113 of the Municipal Government Act, being Chspter M - 26, R. S. A. 1980 and amendments, provides that:

1. A Council may pass a Bylaw authorizing the making of an agreement with the Council of any other Municipality for the joint construction, ownership, maintenance, operation, and use of a public work or for the performance of any other matter considered by all Councils concerned to be a benefit to their respective Municipalities; and
2. The Council may in the Bylaw appoint one or more of its members to be members of a joint committee with members appointed by the Councils of other Municipalities and may delegate to such joint committee power to construct, maintain, control and manage such undertaking, including the power to disburse the proceeds of debentures or other funds used for the purpose of such undertaking; and

WHEREAS in the interest of minimizing potential damage to the environment from improper refuse disposal, the participating local Municipalities wish to establish a regional solid waste system to serve all participating Municipalities;

NOW THEREFORE by virtue of the powers invested in it, the Council of the Town of Picture Butte enacts as follows:

THAT THE TOWN OF PICTURE BUTTE enter into an agreement with the other participating Municipalities within the boundaries of the County of Lethbridge No. 26 Regional Sanitary Landfill Authority for the establishment, construction, ownership, maintenance, operation and use of a regional waste system; and

THAT the appointed Councillor on the Waste Management Committee of the Town of Picture Butte or alternates, be authorized to represent the Town of Picture Butte on a regional solid waste management authority responsible for the establishment, construction, maintenance control and management of the regional solid waste system; and

THAT the MAYOR or his designated alternate and the MUNICIPAL ADMINISTRATOR of the TOWN OF PICTURE BUTTE be authorized to sign the aforementioned agreement with the other participating Municipalities on behalf of the Town; and

THAT the County of Lethbridge No. 26 Sanitary Landfill Authority shall have the power to apply for and receive such grants, debentures or other funds as may be used for the purpose of the regional solid waste system, as per the terms of the aforementioned agreement and amendments thereto.

Moved by Councillor Sosick that Bylaw # 624/85 be read a first time this 9th day of September, 1985. Carried.

Moved by Councillor Anderson that Bylaw # 624/85 be read a second time this 9th day of September, 1985. Carried.

Moved by Councillor Casson that permission be granted to give third reading to Bylaw # 624/85 at this meeting. Carried unanimously.

*meat*

..2..

Moved by Councillor C. Shimek that Bylaw # 624/85  
be read a third time and finally passed this 9th day  
of September, 1985. Carried.

M. W. Hemminger  
MAYOR  
R. B. [Signature]  
MUNICIPAL ADMINISTRATOR



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 717/95**

Bylaw No. 717/95 of the Town of Picture Butte is for the purpose of adopting the Town of Picture Butte and County of Lethbridge Joint General Municipal Plan, in accordance with Part 6, Section 139 of the Planning Act, being Chapter P-9 of the Revised Statutes of Alberta, 1980.


**WHEREAS** the councils of the Town of Picture Butte and the County of Lethbridge have decided that a cooperative approach to development in the fringe area of Picture Butte; and

**WHEREAS** the two councils have agreed to a series of subdivision and development guidelines; and

**WHEREAS** policies can be adopted and implemented through a Joint General Municipal Plan;

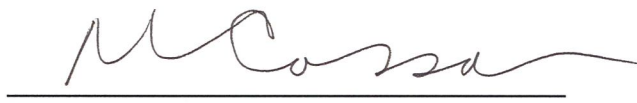
**NOW THEREFORE BE IT RESOLVED** that the Town of Picture Butte does hereby adopt Appendix A as the Town of Picture Butte and County of Lethbridge Joint General Municipal Plan.

MOVED by Deputy Mayor Bert Foord that Bylaw No. 717/95 be read a first time this 27th day of March, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

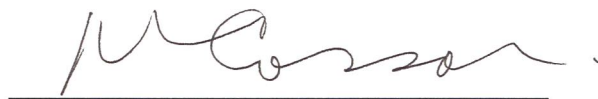
  
\_\_\_\_\_  
Municipal Administrator

MOVED by Councillor Anders that Bylaw No. 717/95 be a read a second time this 12th day of June, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

MOVED by Councillor Nemecek that Bylaw No. 717/95 be read a third time and finally passed this 12th day of June, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

# TOWN OF PICTURE BUTTE

## BYLAW NO. 723/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO DELEGATE THE AUTHORITY TO GRANT TIME EXTENSIONS ON SUBDIVISION APPROVALS AND REGISTRATION UNDER SECTION 657(6) OF THE MUNICIPAL GOVERNMENT AMENDMENT ACT, 1995.**

**WHEREAS** the granting of time extensions on subdivision approvals and registration may often be an administrative function;

**AND WHEREAS** the council meets twice per month;

**AND WHEREAS** this may cause an unwarranted delay to applicants;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta, duly assembled enacts as follows:

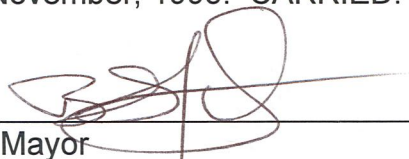
1. The authority to grant time extensions on subdivision approvals and registration under Section 657(6)) of the Municipal Government Amendment Act, 1995, is given to the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for extension to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

MOVED by Councillor H. Nummi that Bylaw #723/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #723/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #723/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #723/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 724/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

**AND WHEREAS** the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw maybe cited as the Town of Picture Butte Subdivision Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

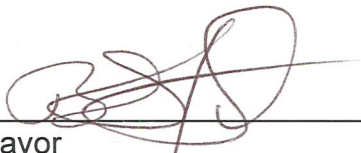
1. For the purpose of this Bylaw, the Subdivision Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for subdivision approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

MOVED by Councillor H. Nummi that Bylaw #724/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that Bylaw #724/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #724/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor E. Anderson that Bylaw #724/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 725/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL DEVELOPMENT AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Development Authority;

**AND WHEREAS** the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal Land Use Bylaw;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Development Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

1. For the purpose of this Bylaw, the Development Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for development approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

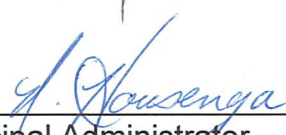
MOVED by Councillor H. Nummi that Bylaw #725/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that Bylaw #725/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that permission be granted to give third reading to Bylaw #725/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #725/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

TOWN OF PICTURE BUTTE

BYLAW NO. 727/95

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN INTERMUNICIPAL SERVICE AGENCY.

WHEREAS the Municipal Government Act, Chapter M-26.1, 1994, and amendments, allows the municipality, by bylaw, to enter into an agreement with one or more municipalities to establish an Intermunicipal Service Agency;

AND WHEREAS the municipality may delegate any of its subdivision authority or development authority powers, duties or functions to the Intermunicipal Service Agency;

AND WHEREAS the Town of Picture Butte may obtain other planning and related services from the Intermunicipal Service Agency as agreed to by contract from time to time;

AND WHEREAS this bylaw may be cited as the Town of Picture Butte Intermunicipal Service Agency Bylaw;

NOW THEREFORE, the Council of the town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

- 1. The Council of the Town of Picture Butte hereby authorizes the municipality to establish the Oldman River Intermunicipal Service Agency.
- 2. The Council of the Town of Picture Butte hereby delegates the following subdivision powers, duties or functions to the Intermunicipal Service Agency:
  - (a) the providing of advice to applicants for subdivision approval;
  - (b) the processing of applications for subdivision;
  - (c) the collecting of all pertinent subdivision approval fees;
  - (d) the requirements of notification of applicants, pertinent agencies, government departments and adjacent land owners;
  - (e) the preparation of draft resolutions for consideration by the Subdivision Authority;
  - (f) the appearance at meetings of the Subdivision Authority as requested to do so from time to time;
  - (g) the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of application was given;
  - (h) the conduction of a site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
  - (i) the finalization and required endorsement of plans of survey or other instruments for registration purposes at Land Titles Office;
  - (j) the conveyance of notification of final subdivision approval to the registered owner and/or the authorized agent;
  - (k) the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the municipality;

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## Bylaw #727/95

- (l) the providing of all pertinent information for consideration at a hearing of the appropriate subdivision appeal board;
- (m) the appearance, for the purpose of providing pertinent information, at a hearing of a subdivision appeal board;
- (n) the performance of any other duties or functions as requested, by resolution of council, and as agreed to by the Intermunicipal Service Agency.

3. This Bylaw comes into effect upon the third and final reading thereof.


MOVED by Councillor H. Nummi that Bylaw #727/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Ruaben that Bylaw #727/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #727/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor V. Nemecek that Bylaw #727/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

# ***TOWN OF PICTURE BUTTE***

## ***BYLAW NO. 734/96***

A Bylaw of the Municipal Corporation of the Town of Picture Butte, in the Province of Alberta, to administer the SAFETY CODES ACT being R.S.A. 1991, Chapter S-0.5 as it relates to the following disciplines:

- (a) building;
- (b) electrical;
- (c) fire;
- (d) gas and plumbing

NOW THEREFORE, the Council of the Town of Picture Butte duly assembled, hereby enacts as follows:

### **SECTION 1 - TITLE**

1.1 This Bylaw may be cited as the “**Safety Codes Bylaw**”.

### **SECTION 2 - GENERAL**

#### **SUBSECTION 2.1 - DEFINITIONS**

2.1.1 Words and phrases used in this Bylaw which are specifically defined in the Act, Regulations under the Act, or in this Bylaw shall bear the meaning expressed in the definition. Words and phrases used in this Bylaw which are not so defined shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw, taking into account the specialized use of terms within the various trades and professions to which the terminology applies.

2.1.2 Whenever used herein:

**Act:** means the Safety Codes Act, R.S.A. 1991, Chapter S-0.5, and any regulations passed pursuant to that Act.

**Administrator:** means an administrator appointed under the Safety Codes Act, R.S.A. 1991, Chapter S-0.5.

**Contractor:** means a Person who contracts with an Owner or his authorized agent to undertake a project, and includes an Owner who contracts with more than one Person for the work on a project or undertakes the work on a project or any part thereof.

**Detached Single Family Dwelling:** means a single family residence that is detached from any other type or residence or occupancy classification.

**Electrical Equipment:** means plant, machinery, equipment, appliances and devices of every kind and description that are used or intended to be used in the generation, transformation, transmission, distribution, delivery or use of electrical power or energy in Alberta.

**Electrical Work:** means the actual installation, repair and maintenance of cables, conduits, wiring, switchgear, transmission lines, transformers, motors and generators used for the projections, transmission and utilization of electrical energy for light and power purposes.



**Gas:** means any gas or compressed gas or any mixture or dilution of gasses and includes any combustible or flammable fluid but does not include any gas, mixture or dilution of gases or combustible or flammable fluid excluded by the regulations from the definition of gas.

**Gas System:** means any equipment or installation used or intended to be used in or in conjunction with the processing, transmission, storage, distribution, supply or use of gas but does not include any thing excluded by the regulations from the definition of gas system.

**Owner:** means any person controlling the property under consideration.

**Permit:** means an authorization in writing by a Safety Codes Officer to perform work regulated by this Bylaw.

**Person:** means an individual, partner, corporation, firm, society, cooperative or other incorporated legal entity and their respective heirs, executors, administrators and assignee.

**Plumbing Equipment:** means

- (i) any piping, equipment, appliance or device used or intended to be used in a plumbing system, and
- (ii) any other thing defined as plumbing equipment in the regulations.

**Plumbing System:** means the whole or any part of a drainage system, a venting system or a water system but does not include any thing excluded by the regulations from the definition of plumbing system.

**Quality Management System:** means on the Quality Management Plans attached hereto and forming part of this Bylaw as Appendices A-D, inclusive.

**Safety Code Officer:** means the person or persons designated by an Administrator and appointed by the Town to act as a Safety Codes Officer or Persons employed by accredited agencies as designated from time to time by a Safety Codes Officer appointed by the Town.

**Town:** means the municipal corporation of the Town of Picture Butte, Alberta

## SUBSECTION 2.2 - SCOPE

- 2.2.1 This Bylaw applies to the administration and enforcement of the Act to the extent described in the Quality Management Plans for the various disciplines forming Appendices A-D to this Bylaw, as amended from time to time.

## SUBSECTION 2.3 - QUALITY MANAGEMENT PLANS

- 2.3.1 The Quality Management Plans attached to and forming part of this Bylaw as Appendices A-D are meant to reflect the intention on the part of the Town to exercise its powers and perform its duties under the Act in good faith. Nothing in any Quality Management Plan shall be taken to derogate from any defence afforded to the Town, its employees, officers or Administrators by virtue of the provisions of the Safety Codes Act as amended from time to time, and without restricting the generality of the foregoing by virtue of Section 12 of the Act.

## SECTION 3 - ADMINISTRATION



- 3.1.1** This Bylaw shall be administered by the Safety Codes Officer or Officers designated by an Administrator and appointed by the Town to act as a Safety Codes Officer as well as by Safety Codes Officers employed by accredited agencies as designated from time to time by the Safety Codes Officer appointed by the Town.
- 3.1.2** Subject to the terms of his or her designation by an Administrator, and to the provisions of the Act, a Safety Codes Officer may administer and enforce the provisions of this bylaw, and is authorized to do all things necessary and necessarily incidental to such administration and enforcement.

## **SECTION 4 - PERMITS AND FEES**

### **SUBSECTION 4.1 - PERMITS**

- 4.1.1** Every Owner shall obtain all required permits or approvals prior to commencing the work to which they relate.
- 4.1.2** An application for a permit shall be made to the Town Office at 420 - 4 Street North, Picture Butte, Alberta.
- 4.1.3** On receipt of an application, a Safety Codes Officer may issue a permit to a person who complies with the requirements of the Act or issue a permit with respect to a thing, process or activity if it complies with the requirements of the Act, and the relevant Quality Management Plan attached hereto and forming part of this Bylaw.
- 4.1.4** A Safety Codes Officer may include terms and conditions in a permit.
- 4.1.5** If a Safety Codes Officer refuses to issue a permit, the Safety Codes Officer shall serve the applicant with a written notice of the refusal.

### **SUBSECTION 4.2 - BUILDING PERMITS**

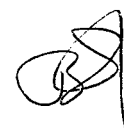
- 4.2.1** No person shall construct, add to, alter, repair, demolish, reconstruct, relocate any building or excavate for the purpose of constructing a building within the Town until and unless a building permit has been obtained pursuant to this Bylaw. The Town may require that a person installing, or removing a system or equipment for heating, ventilating or air conditioning a building obtain a building permit, and such persons should inquire to the Town Office in this regard before commencing any work.

### **SUBSECTION 4.3 - ELECTRICAL PERMITS**

- 4.3.1** Electrical permits shall be required in accordance with the Quality Management Plan for the Electrical Discipline forming Appendix B of this Bylaw and without limiting the foregoing shall be required by all homeowners performing their own electrical work on their own residence and all electrical contractors performing electrical work within the Town.

### **SUBSECTION 4.4 - FIRE PERMITS**

- 4.4** Permits related to the Fire Code shall be required in accordance with the Quality Management Plan for the Fire Discipline forming Appendix C of this Bylaw and without limiting the generality of the foregoing may be required for outdoor burning or the discharge of fireworks. Certification of occupant loads of buildings, when required under the Act may be applied for at the Town Office.



**SUBSECTION 4.5 - GAS PERMITS**

- 4.51.** Gas permits shall be required in accordance with the Quality Management Plan for the Gas Discipline forming Appendix D of this Bylaw, and without limiting the generality of the foregoing shall be required by all contractors intending to install, renew, remove or change any part of a gas system within the Town.

**SUBSECTION 4.6 - PLUMBING PERMITS**

- 4.6.1** Plumbing permits shall be required in accordance with the Quality Management Plan for the Plumbing Discipline forming Appendix D of this Bylaw and without limiting the foregoing shall be required by all homeowners or contractors intending to install, renew, remove or change any plumbing equipment or a plumbing system within the Town.

**SECTION 5 - CONTRACTORS**

**SUBSECTION 5.1 - GENERAL**

- 5.1.1** Every Contractor shall comply with the requirements of all applicable legislation relating to the construction being performed.
- 5.1.2** All Contractors who perform work authorized by a permit must hold a valid Town Business License with the exception of an Owner undertaking the work on a project on his or her own property.

**SECTION 6 - INSPECTION MANDATE**

**SUBSECTION 6.1 - GENERAL**

- 6.1.1** The Town and its Safety Codes Officers may perform any inspections authorized under the Act including but not necessarily limited to those inspections referred to in the Quality management Plans attached as Appendices A-D inclusive of this Bylaw.

**SUBSECTION 6.2 - POLICY CONSTRAINTS ON THE SCOPE OF INSPECTION**

- 6.2.1** Subject to any obligations it may have under the Act, Council may from time to time, taking into account social and economic factors, including the resources available to it and the various demands made upon those resources by the residents of the Town, make planning and policy decisions respecting the level of allocation of resources to the administration which may affect the operational performance in regard to the frequency of an extent to which inspections are made under this Bylaw.

**SUBSECTION 6.3 - NO WARRANTY ON INSPECTIONS**

- 6.3.1** Any inspections undertaken by Safety Codes Officers or the Town are to be undertaken in good faith in an effort to administer and enforce the Act, but are in no way or under any circumstances to be taken to be a guarantee or warranty of compliance with the Act or any related legislation.

**SECTION 7 - RESPONSIBILITIES AND OBLIGATIONS**

**SUBSECTION 7.1 - GENERAL RESPONSIBILITIES**

- 7.1.1** No Contractor or Owner shall deviate from the plans and specifications forming a part of a permit, or omit or fail to complete, work required by the said plans and specifications accepted by the Town, without first having obtained in writing the





approval of the Town to do so, and subject to the above, any person who acts pursuant to a permit shall do so in accordance with the Act and shall comply with the Act in any terms or conditions contained in the permit.

- 7.1.2** No Owner or Contractor involved in any work for which a permit is required shall cause, allow or maintain any unsafe condition.
- 7.1.3** Any Owner or Contractor who knowingly submits false or misleading information contravenes this Bylaw.
- 7.1.4** Every Owner shall allow a Safety Codes Officer to enter any building or premises at any reasonable time for the purpose of administering and enforcing this Bylaw.
- 7.1.5** Every Owner shall, prior to commencing the work, give notice in writing to the appropriate Safety Codes Officer of
  - a) the name, address and telephone number of
    - (i) the Contractor or other Person in charge of the work and
    - (ii) any inspection or testing agency engaged to monitor the work, and;
  - b) any change in or termination of employment of such Persons during the course of the construction as soon as such change or termination occurs.
- 7.1.6** Every Owner shall given notice in writing to the appropriate Safety Codes Officer
  - a) as soon as any change in ownership or change in the address of the Owner occurs prior to the completion of the work for which a permit was issued;
  - b) prior to Occupying any portion of the building if it is to be occupied in stages.
- 7.1.7** Every Owner shall give such other notice to the appropriate Safety Codes Officer as may be required by the provisions of this Bylaw.
- 7.1.8** Every Owner shall make, or have made at his own expense, the tests or inspections necessary to provide compliance with this bylaw and shall promptly file a copy of all such test or inspection reports with the appropriate Safety Codes Officer.
- 7.1.9** Every Owner shall provide an up-to-date Real Property Report, prepared by a registered land surveyor, of the building site when and as required by a Safety Codes Officer.
- 7.1.10** Every Owner is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of undertaking work for which a permit was required,
- 7.1.11** Should occupancy occur prior to the completion of any work being undertaken that requires a permit, every Owner shall ensure that no unsafe condition exists or will exist because of work being undertaken or not completed.
- 7.1.12** When required by a Safety Codes Officer, every Owner shall provide a letter to certify compliance with this Bylaw and with an required permits.
- 7.1.13** Neither the issuance of a permit nor the carrying out of inspections made by a Safety Codes Officer shall in any way relieve the Owner of a building from full responsibility for carrying out the project or having the project carried out in accordance with this Bylaw, and any other relevant legislation.



- 7.1.14** The issuance of permits, or the carrying out of any inspections pursuant to this Bylaw shall in no way be construed as a warranty by the Town of any plans, designs or construction.
- 7.1.15** When a building or part thereof, or where a thing, process or activity to which this Act applies is in an unsafe condition, the Owner or Contractor shall forthwith take all necessary action to put the building, thing, process or activity in a safe condition.
- 7.1.16** An Owner or person designated in the regulations shall, if required by the regulations, forthwith report to the Town anything, process or activity under the administration of the Town pursuant to this Act where there is an unsafe condition, accident or fire.

## **SECTION 8 - AUTHORITY OF THE TOWN**

### **SUBSECTION 8.1 - GENERAL**

- 8.1.1** Subject to the provisions of the Act, a Safety Codes Officer may enter any building or premises at any reasonable time for the purpose of administering or enforcing this Bylaw, or if there is reason to believe an unsafe condition exists.
- 8.1.2** A Safety Codes Officer may exercise any and all powers given to him or her under the Act, and without restricting the generality of the foregoing is empowered to order:
- a) a Person who contravenes the Act or this Bylaw to comply with the provision thereof within the time period specified;
  - b) work to stop on the building or any part thereof if such work is proceeding in contravention of the Act or this Bylaw, or if there is deemed to be an unsafe condition;
  - c) the removal of any building or part thereof constructed in contravention of this Bylaw;
  - d) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed, and
  - e) correction of any unsafe condition, or contravention of the Act or this Bylaw.
- 8.1.3** A Safety Codes Officer shall require any Owner to submit, in addition to any information otherwise required, an up-to-date Real Property Report, prepared by a registered land surveyor, which shall contain sufficient information regarding the site and the location of any building:
- a) to establish before construction begins that all the requirements of this Bylaw related to this information will be complied with, and
  - b) to verify that, upon completion of the work, all such requirements have been complied with.
- 8.1.4** When a Safety Codes Officer has received a completed application for a permit and is satisfied that the project described in the application meets the requirements of the Act and this Bylaw, the Safety Codes Officer may issue a permit to the applicant and may impose such conditions on the permit, as he or she deems necessary to ensure compliance with the Act and this Bylaw.
- 8.1.5** A Safety Codes Officer may issue a written variance with respect to any thing, process or activity to which the Act applies if the Safety Codes Officer is of the opinion

that the variance provides approximately equivalent or greater safety performance with respect to persons and property as that provided for by the Act. A Safety Codes Officer may include terms and conditions in the variance.

- 8.1.6** A Safety Codes Officer may issue a permit at the risk of the Owner, with conditions, to ensure compliance with this Bylaw and any other applicable legislation, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted by a Safety Codes Officer.
- 8.1.7** A Safety Codes Officer in his or her absolute discretion, may issue a permit for the whole project prior to work commencing thereon, conditional upon the submission, of additional information not available at the time of issue.
- 8.1.8** A Safety Codes Officer may refuse to issue any permit:
- a) whenever information submitted is inadequate to determine compliance with the provisions of the Act and this Bylaw;
  - b) whenever incorrect information is submitted;
  - c) that would authorize any building, work or occupancy that would not be permitted by this Bylaw, or
  - d) that would be prohibited by any other legislation and/or regulation.
- 8.1.9** A Safety Codes Officer may suspend or cancel a permit upon written notice to the permit holder where:
- a) there is a contravention of any condition under which the permit was issued;
  - b) the permit was issued in error;
  - c) the permit was issued on the basis of incorrect information, or
  - d) the thing, process or activity for which the permit was issued does not comply with the Act or this Bylaw.
- 8.1.10** A Safety Codes Officer may suspend or cancel a permit if the Safety Codes Officer, on reasonable and probable grounds, is of the opinion that the permit holder does not comply with this Act when acting pursuant to the permit or that the thing, process or activity does not comply with this Act. The Safety Codes Officer shall serve written notice of the suspension or cancellation on the permit holder and shall also notify an Administrator.
- 8.1.11** When immediate measures must be taken to avoid an imminent danger of fire or risk of accident, the Town may take such action as is appropriate, without notice and at the expense of the Owner.

## **SECTION 9 - FEES**

### **SUBSECTION 9.1 - GENERAL**

- 9.1.1** Fees shall be charged by the Town for services rendered and the application for or issuance of any permits pursuant to the Fee Schedule established or negotiated by Council from time to time.



**SECTION 10 - VIOLATIONS AND PENALTIES**

**SUBSECTION 10.1 - VIOLATIONS**

**10.1.1 Any person:**

- a) who interferes with or in any manner hinders a Safety Codes Officer in the exercise of his or her duties under this Act or this Bylaw;
- b) who knowingly makes a false or misleading statement to a Safety Codes Officer either orally or in writing;
- c) who fails to prepare, submit or retain any information that he has required by the Act or this Bylaw to prepare, submit or retain;
- d) who contravenes the Act;
- e) who contravenes a condition in a permit, certificate or variance;
- f) who contravenes an Order; or
- g) who fails to carry out any action required in an Order to be taken within the time specified in it, is guilty of an offence.

**SUBSECTION 10.2 - PENALTIES**

**10.2.1 A person who is guilty of an offence is liable**

- a) for a first offence
  - (i) to a fine of not more than \$15,000.00 and, in a case of a continuing offence, to a further fine of not more than \$1,000.00 for each day during which the offence continues after the first day or part of a day; or
  - (ii) imprisonment for a term not exceeding 6 months,or to both fines and imprisonment, and
- b) for a 2nd or subsequent offence
  - (i) to a fine of not more than \$30,000.00 and, in the case of a continuing offence, to a further fine of not more than \$2,000.00 for each day or part of a day during which the offence continues after the first day, or
  - (ii) to imprisonment for a term not exceeding 12 months,or to both fines and imprisonment.

**10.2.2 If a person is guilty of an offence under this Act, the court may, in addition to any other penalty imposed or order made, order the person to comply with this Act or any order, permit certificate or variance, or all or anyone or more of them, as the case requires.**



**SECTION 11 - APPEALS**

**SUBSECTION 11.1 - GENERAL**

**11.1.1 Any person:**

- a) to whom an Order is issued by a Safety Codes Officer;
- b) whose application for a permit has been refused by a Safety Codes Officer; or
- c) whose permit has been suspended or cancelled by a Safety Codes Officer, may appeal the Order, refusal, suspension or cancellation, as the case may be, to the extent and in the manner provided for in the Act

**SUBSECTION 12 - RESCINDING BYLAWS**

**12.1.1 This Bylaw hereby rescinds Bylaw #711/94.**

**SUBSECTION 13 - EFFECTIVE DATE**

**13.1.1 This Bylaw comes into force and effect upon the final reading thereof.**

MOVED by Councillor S. Koenen that Bylaw #734/96 be read a first time this 9th day of September, 1996. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #734/96 be read a second time this 9th day of September, 1996. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #734/96 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #734/96 be read a third time and finally passed this 9th day of September, 1996. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 752/99**

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

AND WHEREAS the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires that municipality to adopt a bylaw to establish a municipal subdivision and development appeal board or an intermunicipal subdivision and development appeal board;

AND WHEREAS the Council of the town of Picture Butte wishes to join other area municipalities to establish an intermunicipal subdivision and development appeal board;

AND WHEREAS an intermunicipal subdivision and development appeal board is authorized to render decisions on appeals resulting from decisions of a subdivision authority or a development authority in accordance with the Provincial Land Use Policies, the Subdivision and Development regulation, the local land use bylaw and statutory plans;

NOW THEREFORE, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

1. This bylaw may be cited as the South Country Intermunicipal Subdivision and Development Appeal Board Bylaw.
2. The Town of Picture Butte is authorized to enter an agreement with:  
The Town of Coaldale  
The Town of Coalhurst  
The Village of Nobleford  
The Village of Barons  
To establish the Intermunicipal Subdivision and Development Appeal Board.
3. DEFINITIONS:
  - (a) **Act** means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - (b) **Member Municipality** means the municipality in the Province of Alberta who has entered the agreement referred to in section 2.
  - (c) **Council** means the Council of the Town of Picture Butte.
  - (d) **Intermunicipal Subdivision and Development Appeal Board** means the board established by agreement to act as the municipal appeal board.
  - (e) **Member** means a member of the Intermunicipal Subdivision and Development Appeal Board appointed in accordance with this bylaw.
  - (f) **Secretary** means the person or persons authorized to act as secretary for the Intermunicipal Subdivision and Development Appeal Board by the member municipality within which the appeal is held.
  - (g) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**
4. For the purpose of this bylaw, the Intermunicipal Subdivision and Development Appeal Board shall be composed of not more than five persons who are appointed by the councils who are members.
5. Appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made by resolution of the council of the member municipality and shall consist of either two members of council or one member of council and one member at large.
6. The Intermunicipal Subdivision and Development Appeal Board will consist of the two appointed members from the municipality in which the appeal is held and three councillors from the other member municipalities.
7. Three members of the Intermunicipal Subdivision and Development Appeal Board constitute a quorum.
8. For the first term, appointments will be until the municipal organization meeting of 2001, after which, appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made for a term of the organization meeting three years ahead.

9. The members of the Intermunicipal Subdivision and Development Appeal Board shall elect one of themselves as chair for the purpose of a hearing. The chair may be a member from the municipality in which the appeal is located.
10. Each member of the Intermunicipal Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by the councils; and the remunerations, travelling and living expenses shall be paid by the municipality in which the appeal is located.
11. The council in the municipality in which the appeal is located may, by resolution, appoint a secretary who may be an employee of the municipality and shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Intermunicipal Subdivision and Development Appeal Board.
12. The Intermunicipal Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Intermunicipal Subdivision and Development Appeal board, and it may also hold special meetings at any time at the call of a member municipal council.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Intermunicipal Subdivision and Development Appeal board.
14. The Intermunicipal Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
15. The Intermunicipal subdivision and Development Appeal Board may make rules to govern its hearings.
16. Members of the Intermunicipal Subdivision and Development Appeal Board shall not be members of a municipal subdivision authority or development authority in the municipality in which the appeal is located.
17. When a person ceases to be a member of the Intermunicipal Subdivision and Development Appeal Board before the expiration of his/her term the applicable council may, by resolution, appoint another person for the unexpired portion of that term.
18. The secretary of the Intermunicipal Subdivision and Development Appeal Board shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board and shall keep the following records of appeals related to their municipality with respect to:
  - (a) the minutes of all meetings;
  - (b) records of all notices of meetings and of persons to whom they were sent;
  - (c) copies of all written representations to the Intermunicipal Subdivision and Development Appeal Board;
  - (d) notes as to each representation;
  - (e) the names and addresses of those making representations at the meeting;
  - (f) the decision of the Intermunicipal Subdivision and Development Appeal Board;
  - (g) the reasons for the decision of the Intermunicipal Subdivision and Development Appeal Board on the decision;
  - (h) the vote of the members of the Intermunicipal Subdivision and Development Appeal Board on the decision;
  - (i) records of all notices of decision and of persons to whom they were sent;
  - (j) all notices, decisions and orders made on appeal from the decision of the Intermunicipal Subdivision and Development Appeal Board;
  - (k) such other matters as the Intermunicipal Subdivision and Development Appeal Board may direct.
19. This bylaw comes into effect upon third and final reading thereof.

MOVED by Deputy Mayor V. Nemecek that Bylaw #752/99 be read a first time this 22nd day of March, 1999. Carried.

MOVED by Councillor B. Rudelich that Bylaw #752/99 be read a second time this 22nd day of March, 1999. Carried.

MOVED by Councillor Koenen that permission be granted to give third reading to Bylaw #752/99 at this meeting. Carried Unanimously.

MOVED by Mayor E. Anderson that Bylaw #752/99 be read a third time and finally passed this 22nd day of March, 1999. Carried.



Mayor



Municipal Administrator

# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 756/99**

Bylaw of the Town of Picture Butte in the Province of Alberta, pursuant to provisions in the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, to provide regulations and procedures for the retention and disposal of Municipal documents.

**WHEREAS** it is the desire of the Council of Town of Picture Butte to provide for regulations with respect to the retention and disposal of Municipal documents including correspondence, records, receipts, vouchers, instruments and other papers kept by the Municipality;

**AND WHEREAS** it is the desire of the Town of Picture Butte to establish the necessary authority to release Municipal documents to the Alberta Archives on either a permanent loan or retention basis;

**AND WHEREAS** the authority for such regulations and authorities must be consistent with Federal or Provincial Statutes and regulations:

**NOW THEREFORE** the Municipal Council of the Town of Picture Butte, duly assembled, enacts as follows:

### **PART I – TITLE, DEFINITIONS AND SYMBOLS**

#### **Section 1**

This Bylaw may be cited as ***“The Records Retention Bylaw”*** of the Town of Picture Butte.

#### **Section 2**

In this Bylaw, unless the context otherwise requires, the word, term or expression:

- (a) ***“Auditor”*** shall mean the auditor(s) of the Municipality as established annually by resolution of Council.
- (b) ***“Solicitor”*** shall mean the Municipal Solicitor as appointed or engaged from time to time by Council.
- (c) ***“Official”*** shall mean the Municipal Administrator of the Town of Picture Butte or a designate duly appointed by Council or by the Municipal Administrator.
- (d) ***“Committee”*** refers to the Records Retention Committee, which shall be comprised of the members of the General Government Services Committee and the Municipal Administrator.
- (e) ***“Records”*** shall mean all of the ledgers, receipts, vouchers, instruments, maps, rolls or other documents, records and papers held by the Town of Picture Butte in any form.
- (f) ***“Transitory Records”*** shall mean records that have only short-term, immediate or no value to the Municipality and that the Municipality will not need again in the future.

#### **Section 3**

When used in this Bylaw and in the Records Retention and Disposal Policy of the Records Management Systems established consistent with this Bylaw, symbols shall be used to designate the form of retention or disposal as follows:





D	Destroy
P	Permanent Retention
A	Archives
I	Immediate

## **PART II – RECORD RETENTION AND DESTRUCTION**

### **Section 4 - Retention and Destruction**

Where, in this Bylaw and in the Town of Picture Butte Policy & Procedure Manual, it is provided that particular records of the Municipal Corporation, or of a local Board accountable to the Corporation thereof, shall be:

(a) **Destroyed**

Such records shall be destroyed without any copy thereof being retained after the suggested disposition period outlined in the Records Retention and Disposal Policy.

(b) **Permanent**

Such original records shall be preserved and never destroyed.

(c) **Archives**

Such records shall be released to either the Provincial Archives or other local archives if approved by Council, or the Committee. A copy of the records transferred shall be permanently retained on file if deemed necessary by Council or the Committee. Prior to Council approval, the Official shall review the documents to ensure that the release of the documents does not contravene the provisions of the ***Municipal Government Act, The Freedom of Information and Protection of Privacy Act***, or any other legal obligation binding on the Municipality.

(d) **Immediate**

Such records shall be destroyed after they are used and are no longer of value.

### **Section 5 - Discretion**

The Official shall always have a discretion to retain records longer than the period provided for in this Bylaw and shall do so where the Official deems it appropriate and shall do so where the Official has received any indication that there is or may be any civil action involving any of the said records. Such decisions to retain the records longer than the period provided for herein shall be recorded in the records retention index.

### **Section 6 - Records of Retention and Destruction**

(a) When records have been destroyed under this Bylaw and in the Town of Picture Butte Policy & Procedure Manual, the Official shall so certify in writing. Such certificate shall refer to the relevant schedule and item of this Bylaw and the Schedule of Retention and Disposal Policy and shall identify the records destroyed.

(b) The Official shall keep an index of:

- (i) Records destroyed
- (ii) Records referred to Archives
- (iii) Municipal Records held at other archival centres

- (c) Where records are destroyed under this Bylaw and the Schedule of Retention and Disposal Policy, the proper and complete destruction thereof is the responsibility of the Official.
- (d) The Council shall authorize all records destroyed by resolution and the destruction shall be carried out in the presence of one (1) witness. The Official shall destroy the records and shall provide a statement in writing attesting to the date, time and place of the destruction of the records, together with a detailed list of the records destroyed and also the name of the person who witnessed the destruction. This statement of disposition should be presented to the Council and permanently filed in the office records.
- (e) Election material that has been locked in the ballot boxes can be destroyed in accordance with the provisions of the Local Authorities Election Act.

## **Section 7 - Transitory Records**

### **(a) Categories of Transitory Records**

- (i) **Temporary Information** includes telephone messages, routing slips, post-it notes, opened envelopes except where retention is required to verify mailing date, memos, notes and messages (either paper, voice or electronic) where the information has only immediate or very short-term value.
- (ii) **Duplicates** are exact reproductions of a master document. Common examples are photocopies, or extra copies printed from a computer system or by a commercial printer. After the master version of a document is filed, the duplicates may be discarded.

A duplicate that is altered by adding handwritten comments, notes or initials to it, creates a new record. If this added information will have future value to the Municipality, the new document shall be filed.

- (iii) **Draft Documents and Working Materials** includes source materials used in the preparation of documents and earlier versions of final documents. Drafts and working materials, whether paper or electronic, that do not have long-term value may be discarded as transitory records.

Exemptions include drafts and working papers related to the preparation of legislation, legal documents, budgets, policies, standards, guidelines and procedures if the Municipality is primarily responsible for their creation and the information might have some future value to the Municipality.

- (iv) **Publications** include books, magazines, periodicals, pamphlets, brochures, journals, newspapers and software documentation obtained from sources outside the Municipality.

Exemptions include master copies of publications produced by or for the Municipality.

- (v) **Direct Mail** includes solicited or unsolicited information received by the Municipality from organizations or individuals advertising their products or services.
- (vi) **Blank Information Media** includes anything that was created or acquired for the purpose of collecting or storing information, but which has not been used and has become obsolete.



(b) **Process For Transitory Records Disposal**

Once transitory records have been used to perform the required activities and the records have no further value, they may be destroyed without prior Council approval. The method of disposal of transitory records:

- (i) Confidential paper transitory records shall be shredded on-site;
- (ii) Confidential transitory records on disks shall be physically destroyed;
- (iii) Confidential transitory records on computer disk drives shall be securely disposed of.
- (iv) All other transitory records shall be either shredded or physically disposed of.

**PART III – GENERAL**

**Section 8 - Committee**

The Committee shall meet as frequently as it deems necessary and shall be chaired by the General Government Services Committee Chairman. The Committee shall work on the basis of consensus; however, where there is disagreement the decision of either the Town's solicitor or auditor shall be followed. It shall be the duty of the Committee to keep the Municipal Council periodically informed as to its activities.

**Section 9 – Records Retention Schedules**

A Records Retention Schedule shall be included in the Records Retention and Disposal Policy. Council shall adopt the Records Retention and Disposal Policy by resolution and it may be amended upon recommendation of the Committee and an amending resolution of Council.

**Section 10 – Storage**

It shall be the responsibility of the Committee to provide for policies regarding security and storage of all Municipal documents. Such policies shall be administered by the official of the Municipal documents.

**PART IV – ENACTMENT**


This Bylaw shall come into effect on the date of the final passing thereof.

**MOVED** by Councillor S. Ruaben that Bylaw # 756/99 be read a first time this 12th day of July, 1999. **CARRIED.**

**MOVED** by Councillor S. Koenen that Bylaw # 756/99 be read a second time this 12th day of July, 1999. **CARRIED.**

**MOVED** by Councillor R. Oliver that permission be granted to give third reading to Bylaw # 756/99 at this meeting. Carried Unanimously.

**MOVED** by Councillor A. Vance that Bylaw # 756/99 be read a third time and finally passed this 12th day of July, 1999. Carried.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

## **TOWN OF PICTURE BUTTE**

### **BYLAW NO. 758/99**

**WHEREAS**, pursuant to Section 89 of the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, C.F-18.5, the Town of Picture Butte must designate a person or group of persons as the head of the Municipality for the purposes of the Act;

**ABD WHEREAS**, pursuant to Sections 87 and 89 of the *Freedom of Information and Protection of Privacy Act*, the Town of Picture Butte may set any fees payable to the Municipality for services under the Act and Regulations;

The Town of Picture Butte Council enacts:

#### **PART 1 - PURPOSE, DEFINITIONS AND INTERPRETATION**

##### **1. PURPOSE**

- a. The purpose of the Bylaw is to establish the administrative structure of the Town of Picture Butte in relation to the *Freedom of Information and Protection of Privacy Act*, and to set fees thereunder.

##### **2. DEFINITIONS**

- a. In this Bylaw, unless the context otherwise requires:
  - i. “**ACT**” means the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, C.F-18.5.
  - ii. “**APPLICANT**” means a person who makes a request for access to a record under section 7(1) of the Act.
  - iii. “**MUNICIPAL ADMINISTRATOR**” means the person appointed as the Chief Administrative Officer of the Town of Picture Butte, and includes any person who holds the position of Municipal Administrator in an Acting capacity.
  - iv. “**PROVINCE**” means the Province of Alberta.
  - v. “**TOWN**” means the Town of Picture Butte and includes any board, committee, commission, panel, agency or corporation that is created or owned by the Town of Picture Butte and all the members or officers of which are appointed or chosen by the Town of Picture Butte

##### **3. INTERPRETATION**

- a. The marginal notes and headings in this Bylaw are for reference purposes only.

#### **PART II – DESIGNATED HEAD**

##### **4. DESIGNATED HEAD**

- a. For the purpose of the Act, the Municipal Administrator is designated as the Head of the Municipality.

#### **PART III – FEES**

##### **5. FEES**

- a. Where an Applicant is required to pay a fee for services, the fee payable is in accordance with the *Free of Information and Protection of Privacy Regulations AR 200/95*, as amended from time to time or any successor Regulation that sets fees for requests for information from the Province.

## PART IV – GENERAL

### 6. EFFECTIVE DATE

- a. This Bylaw comes into effect on October 1, 1999
- b. Where a request for information was given and not disposed of before the coming into force of this Bylaw, the request is deemed to be a request made on October 1, 1999, under the provisions of the Act.

MOVED by Councillor S. Ruaben that Bylaw #758/99 be read a first time this 27th day of September, 1999. CARRIED.

MOVED by Councillor B. Rudelich that Bylaw #758/99 be read a second time this 27<sup>th</sup> day of September, 1999. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #758/99 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor R. Oliver that Bylaw #758/99 be read a third time and finally passed this 27<sup>th</sup> day of September, 1999. CARRIED.

Deputy

Mayor

Municipal Administrator

# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 759/99**

### **A Bylaw of the Town of Picture Butte In the Province of Alberta, to Authorize Area Resource Sharing During Municipal Emergency In South-West Alberta**

**WHEREAS**, pursuant to Section 7 of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

**AND WHEREAS**, the Town of Picture Butte wishes to provide assistance to neighbouring and area municipalities and to enter into an agreement with these municipalities to provide resource sharing during municipal emergency responses.

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF PICTURE BUTTE, DULY ASSEMBLED ENACTS AS FOLLOWS:**


1. The Town of Picture Butte will enter into an agreement with neighbouring and area local governments to provide resource sharing during municipal emergencies.
2. That the Mayor and Municipal Administrator be authorized to enter into any agreement with neighbouring and area local governments to provide resource sharing during municipal emergencies.
3. This Bylaw shall come into force upon the agreement being approved by the Mayors and Reeves of Southwestern Alberta.

MOVED by Councillor S. Koenen that Bylaw #759/99 be read a first time this 12th day of October, 1999. CARRIED.

MOVED by Deputy Mayor V. Nemecek that Bylaw #759/99 be read a second time this 12th day of October, 1999. CARRIED.

MOVED by Councillor B. Rudelich that permission be given for third reading of Bylaw #759/99 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor A. Vance that Bylaw #759/99 be read a third time and finally passed this 12th day of October, 1999. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

99-39

## **EMERGENCY SERVICES MUTUAL AID AGREEMENT**

**BETWEEN** the incorporated municipalities listed below:

1. The City of Lethbridge
2. County of Lethbridge #26
3. Town of Coaldale
4. Town of Picture Butte
5. Village of Nobleford
6. Village of Barons
7. Town of Coalhurst

**WHEREAS** a major emergency or disaster could affect any municipality to such a degree that local municipal resources would be inadequate to cope with the situation;

**AND WHEREAS** the above-named municipalities agree as follows:

1. Any one of the parties to the Agreement, it and when in need of help to combat a major incident or disaster, may request mutual aid from one or more of the other parties, subject to the following conditions:
  - a) Any calls for aid shall be made by an elected representative or council appointed designate of the municipality concerned, and must be directed to an elected representative or a council appointed designate of the municipality(ies) whose assistance is being sought; except that:
    - 1) Calls for fire fighting equipment and medical aid or rescue may be made by the Fire Chief or an elected representative of the municipality concerned;
    - 2) Calls for fire, medical or rescue equipment may be made to the Fire Chief or an elected representative of the municipality whose assistance is being sought;
    - 3) Any actions taken by a Fire Chief shall be reported to an elected representative as soon as possible

Requests for mutual aid shall be restricted to municipally-owned equipment and municipal employees.

- b) On receipt of a call for aid - whether general, or specific as to resources required - the extent of the assistance given will be at the discretion of each responding municipality, having regard to its own local situation at the time.
- c) Any cost incurred in connection with the mobilization, movement and deployment of mutual aid resources, will be borne by the municipaity(ies) receiving the aid.

*[Handwritten signature]*



2. This agreement comes into force on January 1<sup>st</sup>, 1999, and shall be reviewed yearly thereafter. At the time of review, changes or additions may be introduced by way of an amendment that shall become part of the Agreement upon ratification by all parties.
3. Any one of the participating municipalities may withdraw from the Agreement by giving sixty (60) days notice of termination to the other parties. After the withdrawal of any party, the Agreement shall continue in force between the remaining parties.

**EXECUTED** on behalf of the participating municipalities, by their authorized signing officer.

1. **City of Lethbridge** By-Law Number 4258  
PER: [Signature] [Signature] Date: October 3, 1988  
MAYOR CITY CLERK
2. **County of Lethbridge** By-Law Number 1169  
PER: [Signature] [Signature] Date: Aug 17/98  
REEVE COUNTY MANAGER
3. **Town of Coaldale** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR TOWN MANAGER
4. **Town of Picture Butte** By-Law Number 759/99  
PER: [Signature] [Signature] Date: Oct 12, 1999  
MAYOR TOWN MANAGER
5. **Village of Nobleford** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR VILLAGE ADMINISTRATOR
6. **Village of Barons** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR VILLAGE ADMINISTRATOR
7. **Town of Coalhurst** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR TOWN MANAGER



## **AGREEMENT ON AREA RESOURCE SHARING DURING MUNICIPAL EMERGENCY RESPONSES IN SOUTHERN ALBERTA**

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### **SCOPE**

This agreement will provide the framework for Local Authorities to assist their neighboring and area local governments during emergencies including, but not limited to, fires, accidents, states of emergency and other incidents where life and/or property is endangered, and when the local authority where the incident has or is expected to occur, has requested the assistance.

#### **1.00 DEFINITIONS & AUTHORITIES**

- 1.01 A Local Authority: is defined in Section 1(g) (i, iv & v) of the Disaster Services Act.
- 1.02 A Municipality: is defined in Section 1(j) of the Disaster Services Act.
- 1.03 A Declaration of a Local State of Emergency is defined in Section 1(c), and implemented under Section 18, of the Disaster Services Act.
- 1.04 A Municipal Emergency: is defined as any situation where the resources of the Local Authority and its service providers are involved in efforts to mitigate immediate threats to life and/or property within the municipality.
- 1.05 The authority for municipalities to enter into this agreement by bylaw is provided in Sections 7(a & f) and 54 of the Municipal Government Act.
- 1.06 This agreement will be utilised in keeping with the intent of the following Statutes of Alberta (RSA 2000) as proclaimed and amended:
  - The Ambulance Services Act: (Chapter A-41)
  - The Disaster Services Act: (Chapter D-36)
  - The Municipal Government Act: (Chapter M-26)
  - The Safety Codes Act: (Chapter S-1)
- 1.07 If any thing in this agreement is inconsistent with the provisions of any provincial statute then the agreement is of no effect to the extent of the inconsistency.
- 1.08 This agreement will not supersede any existing contracts or agreements between local authorities to routinely provide emergency services within the area of jurisdiction of the local authorities and as defined in each contract or agreement.

#### **2.00 GENERAL**

- ### 3.00 APPLICATION

- and will outline what assistance is requested, where it is required and whether it is required immediately, required at a specified time or if the request is to place resources in a standby mode for a possible pending requirement.

- Each party, whose assistance is requested, will provide information to the requesting party as soon as possible indicating what, if any, assistance will be provided as well as when and where it will be available.

- Page 2 of 5

between parties, regarding invoiced amounts for services provided under this agreement, a mutually agreeable third party may be requested to facilitate a resolution.

#### **4.00 OPERATIONAL CONSIDERATIONS**

- 4.01 The party requesting assistance will be responsible for direction and supervision of the resources of the parties providing assistance subject to 4.02, 4.03 and 4.04 below.
- 4.02 Where the persons providing direction and supervision of resources are of the opinion that representatives of parties supplying assistance can provide a better level of direction and supervision they may request that one or more representatives from the parties supplying assistance assume the responsibility for direction and supervision.
- 4.03 A representative of a party supplying assistance, receiving a request outlined in 4.02, may refuse a request to assume responsibility for direction and supervision.
- 4.04 A representative of a party supplying resources, and anyone under their direct supervision, may refuse to follow the directions of the persons providing direction and supervision on behalf of the requesting party when they believe that following the direction provided would result in an unreasonable risk to themselves or the persons and/or equipment under their control.
- 4.05 It is understood that when any disagreement arising in 4.04 occurs all reasonable efforts will be made to resolve the issue quickly. When this is not possible, and the issue is of a significant and ongoing nature, the representative of the party supplying resources may withdraw the resources under their control and return, along with these resources, to their own local authority. All reasonable efforts will be made to notify the requesting party and their own local authority of their decision, reasons and actions.

#### **5.00 WAIVER & INDEMNIFICATION**

- 5.01 All parties understand that this agreement is NOT a guarantee that any supplying party will always be able to provide services to any requesting party. As such no supplying party shall be liable to any party for its inability, failure, delay or termination in supplying any requested service.
- 5.02 The requesting party agrees to release and save harmless the supplying party(s), including its officials, officers, volunteers and employees from any and all claims for damages or loss resulting from any inability, failure, delay or termination in supplying any requested service.
- 5.03 The requesting party agrees to release and save harmless the supplying party(s), including its officials, officers, volunteers and employees for any and all claims for damages or loss resulting from providing assistance to the requesting party, including any third party actions, provided the supplying party(s) has acted in good faith.

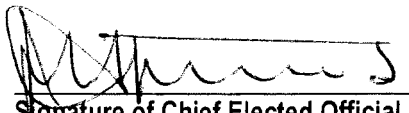
## ADMINISTRATIVE AGREEMENT

- 5.04 The requesting party agrees to indemnify the supplying party and all of its officials, officers, volunteers, employees and insurers engaged in the performance of this Agreement from and against ALL legal costs, claims, demands, loss, costs, actions or other proceedings brought or made by anyone and in any manner a result of the application or execution of this agreement. This will include but not be limited to acts of negligence, property damage or loss, and personal injury (including death), caused by the requesting party.
- 5.05 The supplying party will not be liable or responsible and shall be held harmless for any bodily injury or personal injury (including death), or property damage of any nature that may be suffered by the requesting party, its officials, officers, employees, agents, contractors or sub-contractors and volunteers in the performance of this Agreement, except to the extent of any negligence or misconduct on the part of the supplying party.
- 5.06 The requesting party shall be responsible for covering all damages, repairs and replacement of equipment or material provided by the supplying party unless such damage or destruction is the result of wilful or reckless acts by the representatives of the supplying parties.
- 5.06 The Liability of the requesting party shall survive the termination of this agreement.
- 5.07 The requesting party shall respond to all incidents, inquiries or claims within thirty (30) days of notification and provide a report of the status of the claim to the supplying party. In addition, the requesting party shall continue to provide timely ongoing progress reports to the supplying party up to and including final resolution of any claim attributable to the execution of this Agreement.

## 6.00 SIGNATORIES

- 6.01 Name of all municipalities participating in this agreement, the bylaw/resolution # authorising entering into this agreement and the date the bylaw received third reading are listed in Schedule A.

The Town of PICTURE BUTTE has entered into this agreement as per  
Bylaw/Resolution # 414.07.07 which came into effect on the 9 day of JULY,  
2007.

  
Signature of Chief Elected Official

Jon STEVENS Mayor  
Print Name

  
Signature of Chief Administrative Officer

AUDREY R. MORTENSEN  
Print Name

**Agreement on Area Resource Sharing During Municipal Emergency Responses in Southern Alberta**

<b>MUNICIPALITY</b>	<b>Original Agreement</b>	<b>Ammended Agreement</b>
Cardston County	<b>Signed - No Bylaw or Resolution</b>	
Cypress County	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
County of Forty Mile No. 8		
County of Lethbridge		
M.D. of Pincher Creek No. 9		<b>Resolution # 07/386</b>
M.D. of Ranchland No. 66		<b>Resolution# M08/05/07</b>
M.D. of Taber		<b>Resolution # 16H</b>
Vulcan County		
County of Warner No. 5		<b>Resolution# 07-07-12</b>
M.D. of Willow Creek No. 26		<b>Signed - No Bylaw or Resolution #</b>
Town of Bow Island		
Town of Cardston		<b>Resolution 07-134</b>
Town of Claresholm		
Town of Coaldale		
Town of Coalhurst		
Municipality of Crowsnest Pass	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Town of Fort Macleod		
Town of Granum		
Town of Magrath		<b>Resolution #2007-07-07</b>
Town of Milk River		
Town of Nanton		
Town of Picture Butte		<b>Resolution # 414.07.07</b>
Town of Pincher Creek		<b>Resolution # 07-344</b>
Town of Raymond		<b>Resolution #07-082</b>
Town of Stavely		<b>Signed - No Bylaw or Resolution #</b>
Town of Taber	<b>Resolution # 153/07 No Agreement Sent</b>	
Town of Vauxhall		<b>Resolution# 07.128</b>
Town of Vulcan	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Village of Arrowwood		
Village of Barnwell	<b>Resolution # 75/07 - No Agreement received</b>	
Village of Barons	<b>Signed - No Bylaw or Resolution</b>	<b>Signed - No Bylaw or Resolution #</b>
Village of Carmangay	<b>Signed - No Bylaw or Resolution</b>	
Village of Champion		
Village of Coutts	<b>Signed - No Bylaw or Resolution</b>	
Village of Cowley		<b>Signed - No Bylaw or Resolution #</b>
Village of Foremost		
Village of Glenwood		
Village of Hill Spring		
Village of Lomond		<b>Signed - No Bylaw or Resolution #</b>
Village of Milo		
Village of Nobleford		<b>Reolution# 165-2007</b>
Village of Stirling	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Village of Warner		<b>Resolution# 505-07</b>
I.D. No. 4 (Waterton)		

**TOWN OF PICTURE BUTTE**  
**in the Province of Alberta**

**BYLAW NO. 764/00**

Bylaw No. 764 of the Town of Picture Butte for the purpose of authorizing a Power of Attorney in accordance with section 7(f) of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended.

**WHEREAS** prior to March 31, 1996 land use and planning services were provided to the Municipality by the Oldman River Regional Planning Commission.


**AND WHEREAS** by Ministerial Order the Oldman River Regional Planning Commission was disestablished the 31st of March 1996.


**AND WHEREAS** the Town of Picture Butte did by Bylaw establish the Oldman River Intermunicipal Service Agency and delegate to the Agency its subdivision processing and administrative functions.

**AND WHEREAS** there remain registered on the titles to land within the Municipality Deferred Reserve Caveats filed by or on behalf of the Town of Picture Butte by the former Oldman River Regional Planning Commission.


**NOW THEREFORE BE IT RESOLVED THAT** the Town of Picture Butte shall by Power of Attorney in the form attached grant onto the Oldman River Intermunicipal Service Agency the full power and authority to execute instruments on behalf of the Municipality affecting lands within the Municipality for the purpose of carrying out policies and decisions within the authority of subdivision and development of lands including to discharge Deferred Reserve Caveats filed by the Oldman River Regional Planning Commission.

READ a **first** time this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer


  
\_\_\_\_\_  
Chief Administrative Officer


READ a **second** time this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer

  
\_\_\_\_\_  
Chief Administrative Officer

READ a **third** time and finally PASSED this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer

  
\_\_\_\_\_  
Chief Administrative Officer

**POWER OF ATTORNEY**

**WHEREAS** the Town of Picture Butte issues this Power of Attorney for the purpose of expediting the administrative process of subdivision application approval;

The **TOWN OF PICTURE BUTTE** does hereby make, nominate, constitute and appoint: **OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY** of #B1, 905 - 4th Avenue South, Lethbridge, Alberta, T1J 0P4, as true and lawful Attorney with the power and authority to sign the following instruments:

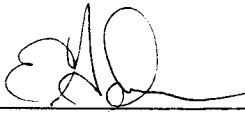
- 1. endorsement of instruments approving registration of subdivision approvals;
- 2. filing deferred reserve caveats in accordance with decisions made by the municipality;
- 3. discharging or partially discharging caveats (including Deferred Reserve Caveats) in accordance with municipal approvals, including those filed on behalf of the Municipality by the Oldman River Regional Planning Commission;


on our behalf, which are capable of registration under the Land Titles Act RSA 1980 Chapter L-5 and amendments thereto.

**THIS POWER OF ATTORNEY** may be executed by the Oldman River Intermunicipal Service Agency.

**DATED** at Picture Butte Alberta, this 27th day of March, 2000.

**TOWN OF PICTURE BUTTE**

Per:  \_\_\_\_\_ *Chief Elected Officer*

Per:  \_\_\_\_\_ *Chief Administrative Officer*



**APPLICATION TO SELL DEBENTURES TO  
ALBERTA MUNICIPAL FINANCING CORPORATION  
(To be used for Municipal Purposes)**

The Town of Picture Butte hereby applies to ALBERTA MUNICIPAL FINANCING CORPORATION to purchase its debentures to finance the undermentioned Capital Project.

Description of Project: COMPLETION OF THE WATER TREATMENT PLANT UPGRADE

Estimated Cost: \$4,070,000.00

Estimated Life of Project: 25 years                      Term of Debentures: 25 years

Amount of Debentures to be Sold under this Application    \$ 600,000.00

This application is signed and dated this 27<sup>TH</sup> day of MAY, 2002.

**CERTIFICATE**

**THE CHIEF ADMINISTRATIVE OFFICER AND CHIEF ELECTED OFFICIAL OF TOWN OF PICTURE BUTTE HEREBY CERTIFY:**

1. That By-law No. 777/02 passed on MAY 27<sup>TH</sup>, 2002 is a valid by-law pursuant to Section 273 of the *Municipal Government Act*.
2. That:
  - (a) By-law No. 777/02 has been advertised pursuant to Section 606 of the *Municipal Government Act*
3. That:
  - (a) the debt limit of \$2,428,638 as set by the Minister of Municipal Affairs pursuant to Alberta Regulation No. 375/94 of the *Municipal Government Act* will not be exceeded by this borrowing.
4. That the Municipality has obtained all approvals required for the project and has complied with all statutes and regulations, including but not limited to the *Municipal Government Act*, which apply to this borrowing and project.

---

**Chief Elected Official**  
**Mayor Jon Stevens**

---

**Chief Administrative Officer**  
**Norm McInnis**



## SUPPORTING DOCUMENTS REQUIRED

1. A certified copy of By-law No. 777/02.
2. A copy of the latest audited financial statement (or a projected financial statement for the past year if borrowing is at the beginning of the year) and the financial information return prepared pursuant to Section 277 of the *Municipal Government Act*. (submit one per year only)
3. A copy of the debt limit worksheet as at the date of application or for municipalities rated "A" or better, a copy of the rating agency report (submit any rating changes immediately). If municipalities are within 25% of their debt or debt service limit, additional information will be required prior to loan approval. In addition, if the debt limits are exceeded the Ministerial Order approving the borrowing must be attached.

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### A.M.F.C. USE ONLY

Amount of Debenture for Purchase \$ \_\_\_\_\_

Term Approved \_\_\_\_\_ Years Rate of Interest \_\_\_\_\_ %

Date of Issue and Maturity \_\_\_\_\_ To \_\_\_\_\_

Annual Blended Payment \$ \_\_\_\_\_

Account No. \_\_\_\_\_ Debenture No. \_\_\_\_\_

Loan Purpose Code \_\_\_\_\_ PreLoan No. \_\_\_\_\_

---

---

Approved \_\_\_\_\_

---

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**PROPOSED BY-LAW NO. 777/02**  
**OF THE TOWN OF PICTURE BUTTE**  
**(hereinafter referred to the "Municipality")**  
**IN THE PROVINCE OF ALBERTA**

This by-law authorizes the Council of the Municipality to incur an indebtedness by the issuance of debentures (the "debentures") to the Alberta Municipal Financing Corporation for the purpose of COMPLETION OF THE WATER TREATMENT PLANT UPGRADE.

**WHEREAS:**

The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completing of the WATER TREATMENT UPGRADE project.

ASSOCIATED ENGINEERING made plans, specifications and estimates for the project and confirms the total cost of the said project is \$ 4,070,000.00.

The Council of the Municipality has estimated the following grants and contributions will be received or applied to the project.

1. WATER/WASTEWATER PARTNERSHIP GRANT \$ 2,644,686.00
2. TRANSFER FROM RESERVES \$ 825,314.00

In order to construct and complete the said project, it will be necessary for the Municipality to borrow the sum of \$ 600,000.00 (the "indebtedness") on the terms and conditions referred to in this By-Law.

The Municipality will repay the indebtedness over a period of TWENTY FIVE (25) years in annual instalments, with interest not exceeding SIX & ONE QUATER per cent (6.25 %), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.

The amount of the existing debenture debt of the Municipality at DECEMBER 31, 2001, is \$549,429.00, no part of which is in arrears.

The estimated lifetime of the project is 25 years.

**All required approvals for the project have been obtained and the project is in compliance with all acts and regulations of the Province of Alberta.**

**THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED ENACTS AS FOLLOWS:**

1. That for the purpose of COMPLETION OF THE WATER TREATMENT PLANT UPGRADE the sum of SIX HUNDRED THOUSAND DOLLARS (\$ 600,000.00) be borrowed from AMFC by way of debenture on the credit and security of the Town at large, of which amount the sum of \$ 600,000.00 is to be paid by the Town at large.
2. The debentures to be issued under this by-law shall not exceed the sum of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding SIX AND ONE QUARTER per cent (6.25%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.
4. The debentures shall be issued in such manner that the principal and interest will be combined and be made payable in annual instalments over a period of TWENTY FIVE (25) years, in accordance with the schedule attached and forming a part of each debenture.

5. The debentures shall be payable in lawful money of Canada at the Alberta Treasury Branch in the TOWN of PICTURE BUTTE or at such other bank or financial institution as the Council of the Municipality may authorize as its banking agency during the currency of the debenture.
6. The Chief Elected Official and Chief Administrative Officer of the Municipality shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debenture.
7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of the Municipality and the Municipal Secretary affix the corporate seal of the Municipality to the debentures.
8. There shall be levied and raised in each year of the currency of the debentures a rate or rates on the assessed value of all lands and improvements shown on the assessment roll, sufficient to provide an annual tax adequate to pay the principal and interest falling due in such year on such debentures. The said rates and taxes are collectible at the same time and in the same manner as other rates and taxes.
9. The indebtedness is contracted on the credit and security of the Municipality at large.
10. The net amount realized by the issue and sale of debentures authorized under this by-law shall be applied only for the purposes for which the indebtedness was created.
11. This by-law shall take effect on the day of the final passing thereof.  
READ a first time in Council this 13<sup>TH</sup> day of MAY, 2002.  
  
READ a second time in Council this 27<sup>TH</sup> day of MAY, 2002.  
  
READ a third time in Council and passed this 27<sup>TH</sup> day of MAY, 2002.

CERTIFIED A TRUE COPY

---

CHIEF ELECTED OFFICIAL

---

CHIEF ADMINISTRATIVE OFFICER

---

CHIEF ADMINISTRATIVE OFFICER

SEAL

## **DEBT LIMIT WORKSHEET**

Name of Municipality: TOWN OF PICTURE BUTTE

### **Part 1**

Calculation of Debt Limit as at MAY 2, 2002

Total debt as at December 31, 2001 being the aggregate of (a)+(b)-(c):

(a)	Principal balances outstanding on borrowings as defined in Section 241(a) of the <i>Municipal Government Act</i>	\$ 549,429	
(b)	Principal outstanding at the calculation time on loans guaranteed by the municipality that are in good standing, plus the amount that the municipality is liable to pay at the calculation time on loans it has guaranteed that are not in good standing	_____	
<b>Less:</b>			
(c)	Amounts recoverable from another municipality in respect of (a)+(b) above	( _____ )	
	Sub-total	<b>\$ 549,429</b>	
(d)	Principal repayment of debt from Jan. 1, 20__ (current year) to calculation time	( _____ )	
(e)	Early payout of debt (principal only) occurring from Jan. 1, 20__ (current year) to calculation time	( _____ )	
<b>Plus:</b>			
(f)	Debt issued from Jan. 1, 20__ (current year) to calculation time	_____	
(g)	Less amount recoverable from another municipality in respect of (f) if applicable	( _____ )	
(h)	Debt issue applied for under this By-law No. 777/02	600,000	
	<b>Total debt for calculation of debt limit as at MAY 2, 200</b>	<b>\$ 1,149,429</b>	<b>(i)</b>

### **Part 2**

Total revenue as defined by Alberta Regulation No. 255/2000, for the year ended December 31, 2002, excluding government transfers for capital purposes and principal outstanding on loans made under MGA Section 265	1,504,163
--	-----------

<b>*Debt limit of 1.5 times revenue</b>	<b>\$ 2,256,244</b>	<b>(ii)</b>
---	---------------------	-------------

**\*Note:** Debt limit calculations for Regional Service Commissions:

- for public utility services - 2 times revenue
- for non-public utility services - .5 times revenue



### Part 3

#### Calculation of Service on Debt Limit as at MAY 2, 2002

Service on debt being the aggregate of:

- |     |  |         |
|-----|--|---------|
| (a) | Total payments of principal and interest on borrowing to Dec. 31 of the prior year required to be paid to AMFC between Jan. 1 and Dec. 31, 20__ (current yr)                       | 150,276 |
| (b) | Total payments of principal and interest required to be paid on all other loans within 12 months from the calculation time (including demand loans)                                | _____   |
| (c) | Pro-rata (Go to Part 5 Pro-rata Calculation) portion of principal and interest amount in respect of borrowing where no principal payments are required during the next 12 months   | _____   |
| (d) | Amount estimated to become due during the next 12 months as a result of guarantees referred to in Section 266 of the <i>Municipal Government Act</i> that are not in good standing | _____   |

#### Less:

- |     |  |         |
|-----|--|---------|
| (e) | Amounts recoverable from another municipality in respect of (a)+(b)+(d) above  | (_____) |
| (f) | Total payments of principal and interest on AMFC loans that matured between Jan. 1, 20__ (current year) and the calculation time | (_____) |

#### Plus:

- |     |   |         |
|-----|---|---------|
| (g) | Annual payment of principal and interest payable on AMFC debt issued between Jan. 1, 20__ (current year) and the calculation time           | _____   |
| (h) | Less amount recoverable from another municipality in respect of (g)   | (_____) |
| (i) | Annual payment of principal and interest payable on the debt issue under this By-law No. 777/02 (calculated at AMFC's current lending rate) | 61.500  |

<b>Total service on debt for calculation of service on debt limit</b>	<b>\$ 211,776</b>	<b>(iii)</b>
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### Part 4

Total revenue as reported in the audited financial statements for the year ended December 31, 20____, excluding government transfers for capital purpose and principal outstanding on loans made under MGA Section 265	1,485,198
--	-----------

<b>*Service on debt limit of .25 times revenue</b>	<b>\$ 371,299</b>	<b>(iv)</b>
--	-------------------	-------------

**\*Note:** Service on debt limit calculations for Regional Service Commissions:

- for public utility services - .35 times revenue
- for non-public utility services - .1 times revenue

**Part 5 - Pro-Rata Calculation as at the calculation time (if required, i.e., if loan outstanding is more than 12 months)**

This Part 5 is in reference to Part 3(c) if required. Pro-rata calculation includes, for example, a loan where only interest payments are required for a portion of the term

Pro-rata amount to be included in the debt service calculation being the aggregate of:

(a) Principal balance outstanding at the calculation time on borrowings that do not require any principal payments during the next 12 months \$ \_\_\_\_\_

**Plus:**

(b) Interest payments required from the calculation time to the end of the amortization period \* \_\_\_\_\_

**Less:**

(c) Amounts recoverable from another municipality in respect of (a) or (b) ( \_\_\_\_\_ )

**Equals:**

(d) Total principal and interest from the calculation time to the end of the amortization period (a)+(b)-(c) \_\_\_\_\_

(e) Number of months from the calculation time to the end of the amortization period \_\_\_\_\_

**Pro-rata amount equals (d) multiplied by 12 divided by (e):** \$ \_\_\_\_\_

\* If the actual rate of interest under a borrowing is not known at the calculation time the current AMFC lending rates should be used

**Debt Limit**

Does total debt for calculation of debt limit (i) exceed debt limit (ii)? No

Does total service on debt (iii) exceed service on debt limit (iv)? No

If answer to either question is yes, please attach approval of the borrowing by the Minister of Municipal Affairs.



**PUBLIC NOTICE TO OWNERS OF THE  
TOWN OF PICTURE BUTTE, PROVINCE OF ALBERTA**

**TAKE NOTICE** that the Council of the Town of Picture Butte, in the Province of Alberta, has given first reading to borrowing By-law No. 777/02 which will, upon final passage and approval, authorize the proper officers of the said Town to borrow monies from the Alberta Municipal Financing Corporation by way of debenture issue, to pay for the cost of the following municipal purpose(s), namely the Water Treatment Plant Upgrade within the limits of the said municipality;

The total cost of the aforesaid project amounts to \$4,070,000.00. After deducting from this cost the amount of \$3,470,000.00 to be received by way of \$2,644,686.00 Alberta Water/Wastewater Partnership Grant and \$825,314.00 transferred from reserves, the net amount to be borrowed on the credit and security of the municipality at large by the issue of debentures is \$600,000.00. The debentures are to be repayable to the Alberta Municipal Financing Corporation in TWENTY FIVE (25) consecutive annual instalments of combined principal and interest, the annual interest not to exceed SIX AND ONE QUATER per centum (6.25%), or the interest rate as fixed from time to time by the Alberta Municipal Financing Corporation;

**NOW THEREFORE NOTICE** is hereby given by the Council of the Town of Picture Butte that, unless a petition of the owners for a vote on By-law No. 777/02 is demanded, as provided for by the terms of Section 231 of the *Municipal Government Act*, the said Council may pass the said borrowing by-law.

All persons interested are hereby notified and they are required to govern themselves accordingly.

**DATED** at the Town of Picture Butte, in the Province of Alberta, this 13<sup>th</sup> day of May, 2002.

Town of Picture Butte

**PER:**

Norm McInnis

Chief Administrative Officer

### **INFORMATION FOR ELECTORS**

Pursuant to Section 1(i) of the *Municipal Government Act* an "elector" means:

1. A person who is eligible to vote in the election for a councillor under the Local Authorities Election Act.

Pursuant to section 47(1) of the Local Authorities Election Act a person is eligible to vote in an election if he:

- a) is at least 18 years old,
- b) is a Canadian citizen, and
- c) has resided in Alberta for the 6 consecutive months immediately preceding election day and is resident in the area on election day.

A poll may be demanded in the \_\_\_\_\_ of \_\_\_\_\_ by electors equal in number to at least

- a) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 10% of the population and
  - b) in the case of a summer village, by 10% of the electors of the summer village
- in accordance with the provisions of section 223 of the *Municipal Government Act* and in accordance with the provisions of section 251 of the *Municipal Government Act*.

The petition for a vote must be received by the Chief Administrative Officer within 15 days of the last publication of this notice and shall contain on each page "an accurate and identical statement of the purpose of the petition". (Further requirements of the petition are provided in section 224 of the *Municipal Government Act*.)

DATE of the last publication of this notice is the \_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_\_.

**APPENDIX E**

**DECLARATION RE: PUBLICATION OF NOTICE OF PROPOSED BY-LAW**

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of Alberta, do solemnly declare that pursuant to the provisions of Section 251 of the *Municipal Government Act*, R.S.A., 1994, the Council of the \_\_\_\_\_ of \_\_\_\_\_, has given proper notice of intention dated \_\_\_\_\_, (Year) \_\_\_\_\_, and \_\_\_\_\_, (Year) \_\_\_\_\_, respecting By-law No. \_\_\_\_\_ that 15 days after the last publication of the Notice have now elapsed and no sufficiently signed and valid petition for a vote has been received by the Council.

\_\_\_\_\_  
\*\*(Date)

\_\_\_\_\_  
(Signature of Municipal Official)

\_\_\_\_\_  
(Position)

SEAL

**\*\*NOTE:** A petition may be presented on the 15th day after the last publication. Therefore, this declaration may only be signed on the 16th day after the last publication or any time thereafter.



**APPENDIX F**

**DECLARATION RE: SUFFICIENCY OF PETITION**

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the  
Province of Alberta, do solemnly declare that pursuant to the provisions of Section 393(2) of the  
*Municipal Government Act*, R.S.A., 1994, the Council of the \_\_\_\_\_ of  
\_\_\_\_\_ has received a sufficient petition proposing the construction of the  
project(s) described in By-law No. \_\_\_\_\_.

\_\_\_\_\_  
\*\*(Date)

\_\_\_\_\_  
(Signature of Municipal Official)

\_\_\_\_\_  
(Position)

SEAL

## **CERTIFICATE OF FINAL READING**

I, Norm McInnis, Chief Administrative Officer, of and on behalf of the Town of Picture Butte, in the Province of Alberta, hereby certify that By-law No. 777/02 of the Town of Picture Butte was read and finally passed at a meeting of Council held on the 27<sup>th</sup> day of May, 2002 and was signed pursuant to Section 213 of the *Municipal Government Act*. Pursuant to Section 143 of the *Municipal Government Act*, there are 7 members of Council, including the Mayor. At the said meeting 7 members were present, 7 members voted in favour of presenting the by-law for third reading\*, and, 7 members voted in favour of the passing of the by-law.

I declare the provisions of the applicable Sections of the *Municipal Government Act* have been complied with.

DATED at the Town of Picture Butte this 27<sup>th</sup> day of May, 2002.

\_\_\_\_\_  
Signature

**\*NOTE:**     **Pursuant to Section 187 of the *Municipal Government Act* Every by-law shall have 3 distinct and separate readings before it is finally passed, but not more than 2 readings of a by-law shall be had at any one council meeting unless the councillors present unanimously agree to consider 3rd reading**

**APPENDIX J**  
**FORM D**

**APPLICATION TO PREPAY A LOAN  
TO THE ALBERTA MUNICIPAL FINANCING CORPORATION**

The \_\_\_\_\_ hereby  
applies to the **Alberta Municipal Financing Corporation** to prepay a debenture in full/in part on the  
\_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_\_.

The details of the debenture are as follows:

Debenture No. \_\_\_\_\_ or Loan Account No. \_\_\_\_\_

By-law No. \_\_\_\_\_

Original Par Value \$ \_\_\_\_\_

Rate of Interest \_\_\_\_\_ %

Principal Amount to be Prepaid \$ \_\_\_\_\_

**IT IS HEREBY CERTIFIED** that the funds available to prepay this debenture in full/in part  
result from:

- ☐ actual project cost being less than the amount borrowed from AMFC;
- ☐ prepayments by the affected property owners;
- ☐ accumulated surpluses of the local authority;
- ☐ borrowing from a financial institution other than AMFC; or,
- ☐ other (describe) \_\_\_\_\_

This application and certificate is signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Method of Payment Preferred:

- ☐ By Cheque \*
- ☐ By debit slip originated by AMFC

\* If paying by cheque, it must be available to AMFC for  
deposit on the payment date selected

June 11, 2002

Alberta Municipal Financing Corporation  
403 Terrace Building, 9515 – 107 Street  
Edmonton, Alberta T5K 2C3

To whom it may concern:

Please accept the enclosed Application to Sell Debentures and accompanying documents for your July 2, 2002 issue date.

If there are any deficiencies in this application, I can be contacted at the information below.

Yours truly,

Norm McInnis, CAO  
Town of Picture Butte



# MUNICIPAL DEVELOPMENT PLAN

Bylaw No. 786-04



**September 2004**



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 786-04**

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, TO ADOPT A NEW MUNICIPAL DEVELOPMENT PLAN FOR THE MUNICIPALITY.

WHEREAS the Council of the Town of Picture Butte wishes to replace existing Bylaw No. 518, being the General Municipal Plan; and

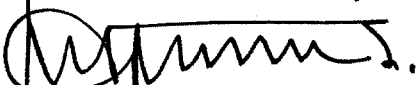
WHEREAS the purpose of the proposed Bylaw No. 786-04 is to provide a comprehensive, long-range land use plan pursuant to the provisions outlined in the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended; and

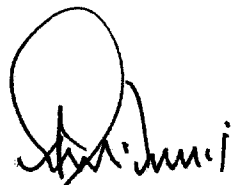
WHEREAS the municipal council has requested the preparation of a long-range plan to fulfill the requirements of the Act and provide for its consideration at a public hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte in the Province of Alberta duly assembled does hereby enact the following:

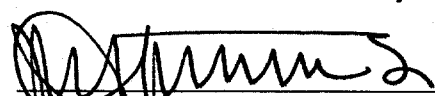
1. Bylaw No. 786-04 being the new Municipal Development Plan Bylaw is hereby adopted.
2. Bylaw No. 518, being the former General Municipal Plan and any amendments thereto is hereby rescinded.
3. This Bylaw comes into effect upon third and final reading hereof.

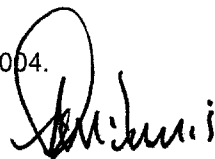
READ a **first** time this 10<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

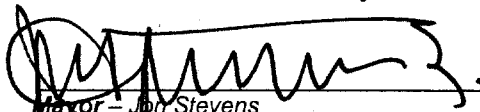
  
\_\_\_\_\_  
Administrator - Norman McInnis

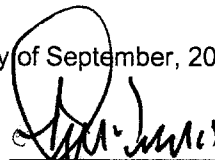
READ a **second** time this 13<sup>th</sup> day of September, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

  
\_\_\_\_\_  
Administrator - Norman McInnis

READ a **third** time and finally PASSED this 13<sup>th</sup> day of September, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

  
\_\_\_\_\_  
Administrator - Norman McInnis

# TABLE OF CONTENTS

	Page
1. INTRODUCTION .....	1
1.1 Introduction to a Municipal Development Plan .....	1
1.2 Plan Authority .....	2
1.3 Regional Location.....	3
1.4 Historical Background .....	3
2. COMMUNITY GOALS AND PRINCIPLES .....	5
2.1 Goals from Municipal Discussion .....	5
2.2 Future Summit Discussion .....	5
3. ANALYSIS OF POPULATION AND ECONOMIC DEVELOPMENT .....	9
3.1 Population Projections.....	9
3.2 Economic Activity .....	10
3.3 Target Population Growth .....	11
4. LAND USE ANALYSIS.....	13
4.1 Overview of Existing Land Use .....	13
4.2 Residential Land Use .....	13
4.3 Commercial Land Use.....	14
4.4 Industrial Land Use .....	15
4.5 Parks and Open Space Land Use.....	16
4.6 Public and Institutional Land Use.....	16
4.7 Fringe Area Land Use .....	17
5. OTHER LAND USE RELATED INFORMATION .....	19
5.1 Transportation .....	19
5.2 Municipal Services .....	20
5.3 Sour Gas Facilities .....	21
5.4 Municipal / School Reserves.....	21
5.5 Coordination of Land Use with Adjacent Municipalities .....	22
5.6 Environmental Considerations .....	22

	Page
6. FUTURE LAND REQUIREMENTS .....	23
6.1 Residential Land Requirements .....	23
6.2 Commercial Land Requirements.....	24
6.3 Industrial Land Requirements .....	25
6.4 Parks and Other Land Requirements.....	25
6.5 Summary of Land Requirements .....	26
6.6 Urban Expansion.....	26
7. POLICIES AND PROGRAMS FOR THE FUTURE .....	27
7.1 Future Housing.....	27
7.2 Developing the Economy .....	28
7.3 Public Use Facilities and Program .....	29
7.4 Municipal Infrastructure .....	29
7.5 Intermunicipal Cooperation .....	30
7.6 Municipal Government Act .....	30
MAPS	
MAP 1 Regional Location .....	following 3
MAP 2 Existing Land Use .....	following 14
MAP 3 Fringe Area Land Use .....	following 17
MAP 4 Guide Map.....	following 28

# TOWN OF PICTURE BUTTE

## MUNICIPAL DEVELOPMENT PLAN

### 1. INTRODUCTION

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#### 1.1 INTRODUCTION TO A MUNICIPAL DEVELOPMENT PLAN

The purpose of a municipal development plan (MDP) is to provide a framework for making decisions that will:

- improve the physical environment of a community,
- make all aspects of the town more functional, and
- create an interesting and efficient living environment.

A plan expresses how the community sees itself in the future and acts to implement community-based policies on development. A municipal development plan is the official policy of a community pertaining to land use and development goals, objectives and policies as it is adopted by bylaw.

It has been over two decades since the last general municipal plan for Picture Butte was adopted. The preparation of a new municipal development plan considers changes that have occurred in the community, a reassessment of community goals and updating statistical data. Additionally, changes have occurred to the provincial requirements regarding municipal development plan content to include a broader array of issues.

The preparation process of this municipal development plan included:

- discussions with town committees and council,
- preparation of a background paper,
- participation in the Picture Butte Summit,
- Picture Butte Community Future Survey results,
- presentation of the draft plan to a public meeting.

Research was also conducted evaluating many aspects of the Town of Picture Butte, such as:

- identifying the community's needs,
- evaluating land use,
- reviewing population trends,
- evaluating economic activity,
- reviewing other municipal issues.

## 1.2 PLAN AUTHORITY

There is no legislative requirement for Picture Butte to have a municipal development plan. This plan reflects the desire of council to look into the future and prepare policy for the future.

When a municipality chooses to adopt a municipal development plan, provisions are made in the Municipal Government Act. In particular, section 632 outlines the required contents for a municipal development plan which includes:

- the future land use within the municipality,
- the manner of and the proposals for future development in the municipality,
- the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,
- the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
- the provision of municipal services and facilities either generally or specifically.
- policies compatible with the Subdivision and Development Regulation to provide guidance on the type and location of land uses adjacent to sour gas facilities;
- policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities.

A municipal development plan may provide policies beyond the requirements of the Act to include:

- proposals for the financing and programming of municipal infrastructure;
- the coordination of municipal programs relating to the physical, social and economic development of the municipality;
- environmental matters within the municipality;
- the financial resources of the municipality;
- the economic development of the municipality;
- any other matter relating to the physical, social or economic development of the municipality;
- may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies.

Section 636 states while preparing a statutory plan a municipality must:

- (a) provide a means for any person who may be affected by it to make suggestions and representations;
- (b) notify the public of the plan preparation process and of the means to make suggestions and representations referred to in clause (a);
- (c) notify the school authorities with jurisdiction in the area to which the plan preparation applies and provide opportunities to those authorities to make suggestions and representations;
- (d) in the case of a municipal development plan, notify adjacent municipalities of the plan preparation and provide opportunities to those municipalities to make suggestions and representations.



### 1.3 REGIONAL LOCATION

Picture Butte is located at the junction of Highway 25 and the provincial roads 519 and 843 (see Map 1). Access directly south to the City of Lethbridge is not available but the distance is 12 kilometres. Since the driving distance from the city to Picture Butte is 30 kilometres and some 25 minutes, the town acts as a subregional service centre making use of the good road connection to the north part of the County of Lethbridge.

There is a rail line through Picture Butte which has historically provided transportation for the agricultural industry, however, the CPR has closed active rail service.

### 1.4 HISTORICAL BACKGROUND

Picture Butte was named after a prominence located on the southeast side of the town. The Butte no longer exists; by 1947 the soil had been reworked or removed to improve streets in town, build the highway and to dyke the shore of the lake.

In the early 1900s the area was opened for homesteading. Two historic events were largely responsible for the founding and development of Picture Butte:

- the building of the Lethbridge Northern Irrigation System in 1923, and
- the building of a railroad, which would provide access to markets in 1925.

These two events stimulated an influx of settlers. A post office was established in 1926 and the Hamlet of Picture Butte came into being. In 1935 a sugar factory opened and in 1936 the RCMP detachment was established. By 1943 the hamlet attained village status, and in 1961 the community became incorporated as a town with a population of 978. The town continued to grow as the hub of intensive livestock feeding and diversified farming.

The closing of the Canadian Sugar Factory in the spring of 1978 was an important event that influenced the town's development, resulting in both the loss of tax revenues and employment opportunities to the town. Since this time, a few small service industries and some warehousing and wholesaling industries constitute the bulk of industrial activity in Picture Butte.

Several factors have influenced the continued growth and development of the Town of Picture Butte:

- the development of a good highway system surrounding Lethbridge has meant that Picture Butte is within a relatively short commuting distance of Lethbridge for employment and shopping opportunities;
- the amenities and services available in Picture Butte are similar to those in a larger urban centre;
- Picture Butte's function as a service centre to the surrounding rural community, but also as a growing residential community for people employed in local farming operations and for retired rural people.

To support the growth and development, the town annexed approximately 165 acres in 1991, which changed the boundary of the community significantly since the general municipal plan of 1980.

## 2. COMMUNITY GOALS AND PRINCIPLES

It is important for a community to determine the attributes that need to be protected and developed. In this plan the discussion of goals and principles has been developed through firstly, original discussions with council and committees and secondly, the “Future Summit” held by the Town Council in May of 2003.

### 2.1 GOALS FROM MUNICIPAL DISCUSSION

This section represents the goals developed from early discussions with council:

- establish criteria that can be used by approval authorities and will provide residents with development that has high quality of design and other standards,
- assist in establishing a healthy community that supports the needs of its residents,
- develop a strong sense of community that is both self-reliant and cooperative with other jurisdictions,
- pursue a system of decision making that is inclusive of all stakeholders and the public at large,
- ensure land is available for a variety of uses in appropriate areas of town.

### 2.2 FUTURE SUMMIT DISCUSSION

When council prepared the agenda for the “Summit” they used their detailed knowledge of the community and their great experience in public service to identify the five issue areas of importance to the community.

They felt discussion and action should occur in the areas of:

- DEVELOPMENT (urban planning concerns)
- HEALTH CARE (of wide concern for all residents)
- YOUTH (the future of the town)
- GROWTH AND TOURISM (seen to be an opportunity)
- TOWN COUNCIL (a discussion of governance)

Panels and stakeholders in the community were invited to discuss each point and start to develop a strategy.

### 2.2.1 Development

Discussion occurred over a broad range of issues including:

- Community Image – including the feelings the town looks old; litter.
- Odour – related to the above, the image of the town is that it is adversely affected by the livestock industry surrounding it.
- Health Care – which was discussed in more detail in another session, but from a development point of view health care is essential in a balanced community.
- Infrastructure – including road issues.
- Real Estate – identifying the impediments to land sales.

Not only problems were identified, as discussion also recognized that this long-established town had attributes including:

- the strength, energy and friendliness of the residents of town,
- existing facilities and amenities,
- small town and stable community,
- quality and well-priced housing.

### 2.2.2 Health Care

Decisions by the Chinook Health Region will change the town's traditional level of health care. Efforts of the Picture Butte Health Care Committee have resulted in the retention of a satisfactory level of service. The Summit identified issues affecting health including:

- facilities and personnel,
- social issues,
- economic issues,
- need for community involvement,
- quality of life.

The town, the Chinook Health Region, Green Acres Foundation and Alberta Seniors have reached an agreement which will provide a level of service which will be the envy of many municipalities. A wing of the local Piyami Lodge is being renovated to house Urgent Care, Laboratory and X-ray services, Community Health and doctors offices. A new Supportive Housing annex is being added to the Lodge to replace 15 beds which will be lost when the primary care beds close in the old hospital.

The Picture Butte Integrated Care Society has been formed with representatives from the town and county as well as local physicians which will oversee operation of the Urgent Care, Lab and X-ray services and ensure that health care delivery meets the needs of the community.

### 2.2.3 Youth

Promoting and supporting the youth of the community was the main focus. Youth in town benefit from:

- athletics – the school's athletic programs are excellent;

- good community facilities;
- sportsplex, outdoor pool, ball diamond, soccer field;
- clean community, minimal garbage;
- parks and recreation;
- mainly seniors, families, youth from the area that come into town;
- population has an effect on the dynamics of a community;
- family-oriented community;
- everyone knows each other and takes care of each other;
- strong service and volunteer base.

It was also suggested that the youth of town need assistance in:

- need to provide positive activity to keep youth off streets;
- need to keep them busy, thus reducing vandalism and garbage;
- need to be productive;
- need more and varied activities;
- non-competitive activity (not just sports);
- find activity that is focused on those doing vandalism;
- youth centre – would it work?
- must be activity focused;
- youth who are not in “organized” sports have no other avenue to express themselves.

#### 2.2.4 Growth and Tourism

In search for further opportunities, participants recognized that Picture Butte has an active community that the tourism industry could capitalize on, such as:

- the Ag Fair, parade, pancake breakfast
- July Fair/Festival
- Trade Fair every two years
- sport fishing at the reservoir
- golf course
- bed and breakfast
- host to sporting tournaments
- 4H calves
- museum
- Jambouree Days (tractor days, horse pull)
- Show and Shine in July for cars
- Tractor Club
- Walk on the Wild Side – a bit of an Interpretive Centre (birds)
- olympic-sized ice arena

### 2.2.5 Town Council

Much of the conversation with this group was question and answer and stressed council's role in budgeting. Finances and decisions on spending seemed to be the priority.

### 2.2.6 Conclusion

This exercise and other strategic planning programs undertaken by council seem to focus on a continued effort to maintain and improve on quality of life issues. Council decisions on the above issues will support its residents.

### 3. ANALYSIS OF POPULATION AND ECONOMIC DEVELOPMENT

Population and economic development are used to estimate the likely future growth of Picture Butte. It should be noted that there is a large degree of uncertainty when using past data to predict future trends as:

- there is no guarantee that what happened in the past will continue to occur in the future,
- the community is relatively small and any large intervention can have a large effect on the projection.

More detail is available in the Town of Picture Butte Land Use Study, Background Report to the Municipal Development Plan. The following is a review of that analysis

#### 3.1 POPULATION PROJECTIONS

Population is presented as a range of possible growth numbers and where the actual amount will be depends, in part, on the economic activity experienced, and larger trends. One possible impact could be the City of Lethbridge which is in close proximity, but because of the driving distance the effect is expected to be minor, unless the distance is reduced by the construction on the projection of a more direct link.

TABLE 1  
**Summary of Population Projection Results for Picture Butte**

Year	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (last 5 yr)	Cohort (last 10 yr)	Cohort (last 20 yr)
1996	1,669	1,669	1,669	1,669	1,669	1,669	1,669
2001		1,823	1,873	1,802	1,763	1,686	1,781
2006		1,939	2,034	1,900	1,869	1,711	1,907
2011		2,055	2,208	2,003	1,982	1,736	2,040
2016		2,171	2,397	2,111	2,107	1,765	2,186
2021		2,287	2,603	2,218	2,244	1,798	2,342

Source: ORISA Population Projections 2001-2021

**Annual Growth Rates of 1.0%, 1.5% and 2.0% for Picture Butte**

Year	Census Population	1.0% Annual Growth	1.5% Annual Growth	2.0% Annual Growth
2001	1,701	1,701	1,701	1,701
2006		1,788	1,832	1,878
2011		1,879	1,974	2,074
2016		1,975	2,127	2,289
2021		2,076	2,291	2,528



Most of the projections shown in Table 1 developed for the Town of Picture Butte show growth at rates of 2 percent or less. This means that by the year 2021, the population from the calculation could be a high of 2,528 persons assuming the growth rate of 2 percent, or as little as 1,798 based on the cohort calculation using data from the last 10 years. Appendix 1 contains the summary of population projections.

One major factor that can serve to narrow the range is economic activity, and the likely strength of the town's business and employment sectors will assist in determining a reasonable population projection. A target range can be determined after an economic evaluation.

### 3.2 ECONOMIC ACTIVITY

Since its origin, Picture Butte's main function has been that of providing services to the surrounding rural area, and as such its services have tended to be related to agriculture. Agriculture and confined feeding operations rely on the town for support. It must be acknowledged that confined feeding operations have been a tremendous and diverse resource to the community economy for many years. Picture Butte is known as the "Livestock Feeding Capital of Canada". For the purpose of the MDP, the background paper evaluated:

- the town's subregional role,
- provincial economy,
- industry and labour characteristics,
- labour force,
- tax assessment,
- construction activity,
- subdivision and development activity.

Based on this discussion, the following summary is presented.

Although the preceding economic activity review is not a complete and thorough analysis, it does illustrate some prevalent trends that are present in the local economy and include:

- Picture Butte is a subregional trade centre providing service to the area north of the Oldman River in the County of Lethbridge;
- the unemployment rate for the region is the lowest in Alberta and the financial institutions are predicting growth at 4.5 percent for the province of Alberta;
- 67 percent of the population in Picture Butte is engaged in the service industry employment;
- there has been a steady conservative growth in residential subdivisions over the last 10 years;
- the ratio of residential tax assessment to non-residential tax assessment is greater than would be desirable — generally a 40 percent to 60 percent ratio is considered ideal — Picture Butte has 78.6 percent residential, 16.3 percent non-residential;
- the town should be able to benefit from the generally healthy economy of the area;
- the economy of the town depends on the agricultural industry and therefore is susceptible to the swings that can occur in this sector, for example, the BSE crisis of 2003. Diversified municipal economies are less susceptible to the effects of downturns in portions of the general economy.

### 3.3 TARGET POPULATION GROWTH

Given the economic analysis that indicates a stable situation the population of town may be closer to the projections of 1 percent or 2,076 persons and the arithmetic amount of 2,287 by 2021. This is less than the 60-year average growth of 2.3 percent and more than the 0.58 percent growth experienced in the last 10 years.

## 4. LAND USE ANALYSIS

Another source of information necessary for policy preparation is land use. The review of existing uses assists in part to establishing the future demand for lands. It can also assist in the creation of policy to address existing concerns and opportunities. It should be noted that the areas of land that are designated for a use in the land use bylaw will be different from the areas of land calculated in a land use study. The land use study reports what is on the ground and the land use bylaw designates what the land should be, but includes vacant land and non-conforming land uses. Map 2 is much more detailed than the map contained in the land use bylaw.

### 4.1 OVERVIEW OF EXISTING LAND USE

Table 2 and Map 2 exhibit the existing types of uses and the location. In general of the developed land, residential is the largest use of land in the town boundary. Some 56 percent of the land in the boundary is vacant and some of that is available for development.

TABLE 2  
**Existing Land Use**

Use	Hectares	Acres	% of Total
Single Residential	44.5	110.0	15.6
Multifamily Residential	2.0	5.0	.7
Manufactured Home	4.7	11.6	1.7
Commercial	15.8	39.0	5.5
Industrial	1.4	3.9	.5
Public	29.7	73.4	10.5
Utilities	16.3	55.4	5.7
Recreation & Open Space	10.4	25.6	3.7
Non Urban/Vacant*	159.1	393.1	56.0
<b>TOTAL</b>	<b>284.1</b>	<b>702.0</b>	<b>100.0</b>

### 4.2 RESIDENTIAL LAND USE

According to the existing residential land use shown in Table 3, residential development comprises 126.6 acres (51.2 ha) or 18.0 percent of the total existing land use. Single detached housing is dominant, using close to 15.6 percent of the total developed land and representing 86.9 percent of the total occupied dwellings within Picture Butte. This figure is comparable to other small southern Alberta communities. Multi-family housing accounts for 3.9 percent of total occupied dwelling units, while manufactured homes account for 9.2 percent. Picture Butte has two manufactured home parks, one on Piron Place and the other called Maple Estates in the south portion of town.

TABLE 3  
**Existing Residential Land Use**

Type	Area (acres)	Area (ha)	Total Residential %	Total %
Single Family	110.0	44.5	86.9	15.6
Duplex/Semi-detached	3.5	1.4	2.7	0.5
3-4 Family	0.5	0.2	0.4	0.1
Multi Family	1.0	0.4	0.8	0.1
Manufactured Home	11.6	4.7	9.2	1.7
<b>TOTAL</b>	<b>126.6</b>	<b>51.2</b>	<b>100.0</b>	<b>18.0</b>

Housing diversity is low in Picture Butte as most housing is in the form of single dwellings. For example, over 96 percent of the housing stock is either single detached dwellings or manufactured homes. In the future, the lack of multi-unit accommodation will affect the ability of the town to accommodate a diverse labour force and a variety of age groups.

As shown in Table 4, the majority of Picture Butte's housing stock was determined to be fair to excellent. The areas near downtown and near the north entry of town did fall into the lower category. Over the period of this plan it is expected that some redevelopment will occur in the area of lower rating.

TABLE 4  
**Housing Conditions – 2002**

Rating	Percent of Dwellings
Excellent	20.2
Good	27.5
Fair	47.5
Poor	4.7

Approximately 20 vacant residential lots exist in the newer residential areas in the north and south portions of town. According to the Land Use Survey (February 2003) there is approximately 216 acres (87.5 ha) urban reserve land used for agricultural purposes lying to the north and southwest of the existing residential areas.

There is an absence of higher-density low-maintenance housing that would be suitable for the older portion of the population. These "over 50" types of accommodation are more common in larger municipalities but can assist people to remain in the community.

### 4.3 COMMERCIAL LAND USE

Lands that are currently being used for commercial purposes (see Table 5) amount to 39.0 acres (15.8 ha) or approximately 6 percent of the total existing land use in Picture Butte. Much of the

retail commercial is located downtown and the highway commercial uses are located along Highway Avenue at the entrances to town and mixed in with the industrial area in the west end of town. The total amount of land designated by the land use bylaw as commercial is approximately 16.3 acres (6.6 ha); of that, 11.59 acres (4.69 ha) is designated as retail commercial and 4.65 acres (1.88 ha) is designated as highway commercial. A comparison between existing (39.0 acres) and designated (16.3 acres) commercial land use shows a deficit of 22.7 acres in designated commercial land use. Much of the existing commercial land use has located in the industrial area. As of the February 2003 Land Use Survey (Map 2), the town had ten vacant retail commercial parcels in the downtown area and zero vacant parcels in the highway commercial district.

TABLE 5  
**Existing Commercial Land Use**

<b>Type</b>	<b>Area (acres)</b>	<b>Area (ha)</b>	<b>% Total Commercial</b>	<b>% Total Existing Land Use</b>
Retail	2.7	1.1	7.0	0.4
Wholesale	7.4	3.0	19.0	1.1
Service	3.0	1.2	7.6	0.4
Transportation	1.7	0.7	4.4	0.2
Contracting	4.4	1.8	11.4	0.6
Building	3.0	1.2	7.6	0.4
Warehousing	16.8	6.8	43.0	2.4
<b>TOTAL</b>	<b>39.0</b>	<b>15.8</b>	<b>100.0</b>	<b>5.5</b>

In comparison to other southern Alberta communities of similar size, Picture Butte's 39.0 (15.8 ha) commercial land use acreage is slightly more than the average of 36.1 acres (14.62 ha).

The Existing Land Use Map indicates there is no vacant land available to accommodate future Highway commercial development. The map also shows there are a number of nonconforming land use activities present in the designated Highway commercial districts, which further impedes future Highway commercial growth. Most non-conforming uses are older dwellings that occupy land that has been designated for commercial use in the land use bylaw. In terms of highway commercial use, the non-conforming use is near the east entry to town.

#### 4.4 INDUSTRIAL LAND USE

As shown in Map 2, the industrial land use district is located on the east side of Picture Butte. The intent of the industrial land use zoning is to provide for and encourage the orderly industrial development of this district in a manner compatible with other land uses. The concentrated nature of the industrial activities in the industrial park on the east side of Picture Butte has resulted in relatively few land use conflicts. Table 6 indicates the industrial activity is very much oriented toward the agricultural sector. According to the Land Use Survey (February 2003), there are 14 vacant parcels of land designated as industrial use and available for development.

TABLE 6  
**Existing Industrial Use**

Type	Area (acres)	Area (ha)	% Total Industrial	% Total
Industrial Manufacturing	0.7	0.3	18.8	0.1
Ag Processing	3.2	1.3	81.2	0.5
<b>TOTAL</b>	<b>3.9</b>	<b>1.6</b>	<b>100.0</b>	<b>0.6</b>

#### 4.5 PARKS AND OPEN SPACE LAND USE

Picture Butte has several recreational, parks and open space parcels that occupy a total of 25.6 acres (10.4 ha) (see Table 7). There are a number of quality recreational facilities available to the residents of Picture Butte including the North County Recreation Complex that houses a regulation size ice arena and four sheets curling rink. Adjacent to the recreation centre is the outdoor swimming pool. The town also offers tennis courts, ball diamonds, soccer fields, a track and a campground. A 27-hole golf course with campground is located 2 kilometres west and south of town. Open space is provided by the three schoolyards and nearby resort areas including the Lion's Park, Regional Park and Campground, and the 'Walk on the Wild Side' Nature Trail. The Picture Butte Walk on the Wild Side Society has developed a walking trail along a portion of Picture Butte Reservoir. Park Lake is within a short drive of Picture Butte and offers water activities, picnic and camping facilities.

TABLE 7  
**Recreation and Open Space Land Use**

Type	Area (acres)	Area (ha)	% Recreation	% Total
Indoor Recreation	2.7	1.1	10.5	0.4
Outdoor Recreation	8.6	3.5	33.7	1.2
Parks	8.4	3.4	32.7	1.2
Open Spaces	5.9	2.4	23.1	0.8
<b>TOTAL</b>	<b>25.6</b>	<b>10.4</b>	<b>100.0</b>	<b>3.6</b>

#### 4.6 PUBLIC AND INSTITUTIONAL LAND USE

As Table 8 illustrates, a large percentage of land, approximately 73.4 acres (29.7 ha) or 10.5 percent of the total land, is dedicated to institutional uses. Public and institutional uses include education, government activities, churches, community and the urgent care facility.



TABLE 8  
**Public and Institutional Land Use**

<b>Type</b>	<b>Area (acres)</b>	<b>Area (ha)</b>	<b>% Total Public Institutional</b>	<b>% Total</b>
Educational	31.6	12.8	43.1	4.5
Government	2.2	0.9	3.0	0.3
Community	0.5	0.2	0.7	0.1
Hospital*	8.2	3.3	11.1	1.2
Religious	30.9	12.5	42.1	4.4
<b>TOTAL</b>	<b>73.4</b>	<b>29.7</b>	<b>100.0</b>	<b>10.5</b>

\* Recent changes suggest this land will likely be redesignated in the near future.

#### 4.7 FRINGE AREA LAND USE

Map 3 shows the uses located in the fringe area of the town. The land south of town is somewhat fragmented by subdivision and land ownership, while much of the rest of the area is larger agricultural parcels.

## 5. OTHER LAND USE RELATED INFORMATION

### 5.1 TRANSPORTATION

Land use in the Town of Picture Butte will be affected by the amount and type of traffic that will be travelling in, around and through the community. The Town of Picture Butte is located at an intersection point of two transportation routes: Highway 25 running north and south, and Highway 519 running east and west.

#### 5.1.1 Arterial Roads

Three arterial roads exist in Picture Butte:

- Highway Avenue,
- Rogers Avenue, and
- 4<sup>th</sup> Street South.

Picture Butte's main street (Highway Avenue) is a through route and is part of Highway 25. It is one of the main entrances to town and connects the downtown with residential areas. Rogers Avenue is a through route for Highway 519. Heavy trucks use both Highways 25 and 519. Fourth Street South connects Highway Avenue and Rogers Avenue in town and is consequently a heavily travelled route. These three roadways represent Picture Butte's most heavily travelled routes. It is important to note that these routes run through residential as well as commercial and industrial areas.

#### 5.1.2 Local Road Network

At the local road network level, the street pattern is largely that of the traditional grid system. The grid was laid out south and north of the railway line. The alignment of the railroad tracks and Highway Avenue has caused the street pattern to be altered somewhat from the normal grid pattern. In the newer residential developments the street pattern incorporates curvilinear characteristics featuring crescents and cul-de-sacs. A newer area of residential has been built in the north and west section of the town. Currently access is only available by 7 Street North. Additional lands may be developed in this area, increasing the use of the single access point.

#### 5.1.3 Provincial Highway System

Picture Butte is connected to the region and province by Highway 25 and Highway+ 519.

The average annual daily traffic through Picture Butte on Highway 25 and 519 has increased at all points from 1990 through to 1999. Both highways experience an increase in traffic volume during the summer months. Increased traffic on a roadway has a direct effect on what kind of barrier these rights-of-way will become to development.

## 5.2 MUNICIPAL SERVICES

The municipal services for this section of the municipal development plan include the water distribution system, storm water drainage, sewage collection system, and solid waste collection.

### 5.2.1 Water

The town's drinking water is obtained from the Picture Butte Reservoir, which is fed from Keho Lake by way of a Lethbridge Northern Irrigation canal. The reservoir is located on the north boundary of town.

In 2001 the town's water treatment plant was updated and expanded and uses ultrafiltration membrane technology using a small pore size membrane. Chlorination occurs after the water is filtered. At this point the plant is providing a water capacity to approximately 1,600 - 1,800 people (maximum capacity of 7 megalitres per day). The plant has the ability to grow and expand as the population grows and the need arises. Main distribution lines have also been improved with the installation of additional control valves.

The water distribution system generally provides adequate pressures to most parts of the town with the exception of some of the areas to the east of the hospital. This issue will be addressed with the completion of an upgrade in 2004. The inadequate pressures in these areas are due to the small distribution mains in the area. The water main replacement program that the town has embarked on to replace most of the cast iron mains with PVC pipes will improve pressures.

An area used for old water reservoirs located north of the current water reservoirs was reclaimed in the 1970s and may be available for development to some other uses.

### 5.2.2 Sewage

The sewage treatment plant is in the County of Lethbridge located south of the town with the sewage lagoons. The sewage system serves all the developed areas and has a capacity for a population of approximately 2,500. The existing sanitary trunk sewer mains can accommodate the present population and future expansion to the north. New trunk mains will be required for future growth and development to the south.

Assuming that the same type of commercial and industrial activities continue the existing sewage lift station is adequate for a population of 3,000. A new aeration system installed in 2003 is more than adequate for a population of 2,500 and depending on the level of commercial and industrial activity it may be adequate for a population of 3,000. The system should be evaluated when the population reaches approximately 2,300 and whenever a major commercial/industrial development occurs. Expansion and upgrading will be required as the town grows past the existing capacity for the sewage system.

### 5.2.3 Storm Water Drainage

The underground storm sewer system is limited to the areas north of the CPR tracks and the residential area around Maple Crescent. The rest of the town has suitable surface drainage. The storm water runs into Piyami coulee southeast of town. The storm water system should be evaluated whenever a major residential subdivision, commercial, or industrial development is planned.

### 5.2.4 Solid Waste

Garbage is collected from the residences once a week and twice a week from businesses. There is a waste transfer station located south of Picture Butte near the lagoons from which the material is taken to the Kedon site. The Lethbridge Regional Waste Management Service Commission has a recycling trailer for recyclable products. This recycling trailer is located adjacent to the Postal Kiosk (corner of Jamieson Avenue and 4<sup>th</sup> Street South).

## 5.3 SOUR GAS FACILITIES

According to section 9(1) of the MGA Subdivision and Development Regulation it is required that:

*"A subdivision authority must send a copy of a subdivision application and a development authority must send a copy of a development application to the AEUB if any of the land that is subject to the application is within 1.5 kilometres of a sour gas facility or a lesser distance agreed to, in writing, by the AEUB and the subdivision authority."*

Currently there are no sour gas facilities within the Town of Picture Butte or its urban fringe within the County of Lethbridge.

## 5.4 MUNICIPAL / SCHOOL RESERVES

Municipal reserve is a contribution made by the developer at the time of subdivision to the town for park or school purposes. It is a total of 10 percent of the land area or land value. The Municipal Government Act (MGA) allows for the taking of municipal and/or school reserve, subject to section 666(1), at the time of subdivision under certain circumstances.

When the requirement for reserve is to be provided as money in place of land, council, subject to section 667 (1)(b) of the MGA, will establish the rate of payment from time to time. Since council may change these values, applicants should confirm values with the municipality.

The municipality also has the authority to request environmental reserve to be provided at the time of subdivision in accordance with section 664(1) of the MGA. In most instances, environmental reserve must be left in its natural state or be used as public park. Also, the owners of a parcel of land of a proposed subdivision and the municipality have the option to consider registering a reserve easement on an identified parcel of land.

## 5.5 COORDINATION OF LAND USE WITH ADJACENT MUNICIPALITIES

The MGA stipulates that the municipal development plan must address land issues with adjacent municipalities. Section 632(3)(a)(iii) of the MGA states:

*“A municipal development plan must address the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities.”*

The County of Lethbridge surrounds the Town of Picture Butte; therefore it is of benefit for the town to maintain contact with the county and other municipalities to discuss issues of shared concern. An intermunicipal development plan between the County of Lethbridge and the Town of Picture Butte has been in place since 1997 which should be reviewed and evaluated on a regular basis. Issues concerning fringe development that should be addressed by the town and county include:

- development permit applications,
- redesignation,
- new and changes to existing confined feeding operations,
- other projects that may have an effect on the adjacent municipality.

A number of land uses exist near the boundary of the town as shown on Map 3.

## 5.6 ENVIRONMENTAL CONSIDERATIONS

The Town of Picture Butte has environmentally unique and sensitive areas that are of local and regional interest. Environmental considerations are of increasing concern to citizens of all municipalities. Many of the causes of environmental problems are beyond the scope of municipal authorities to solve. A municipality can contribute to environmental sustainability by encouraging and practicing conservation, reduced consumption and providing opportunities for recycling, where possible.

The Picture Butte reservoir is identified as an environmentally sensitive and significant area. The reservoir is a permanent wetland that is of regional significance. The community should promote environmental protection through the methods available to a local municipality and through public awareness. Currently, the Walk on the Wild Side Association is promoting the area as environmentally sensitive and is supporting public awareness.

## 6. FUTURE LAND REQUIREMENTS

### 6.1 RESIDENTIAL LAND REQUIREMENTS

A residential land consumption range is calculated based on the likely population trends. The future residential land consumption range analysis for Picture Butte is based on (see Table 8):

- population projection using five year cohort survival and 1.5 percent growth rate,
- average household size of 2.8,
- density of 4.7 units per acre.

As the population of Picture Butte increases, the town will need land for residential development. The amount required is dependent upon present consumption and future population growth. The population analysis and projections suggest that the population of the Town of Picture Butte, by the year 2021, will increase by between 575 persons and 726 persons.

**Table 8**  
**Town of Picture Butte – Residential Land Consumption Range**

YEAR	Population Levels		Assumed Persons Per D.U. <sup>2</sup>	Total Required D.U.s <sup>1</sup>		Existing D.U.s	New Dwelling Units Required		Land Acreage Requirement	
	High	Low		High	Low		High	Low	High	Low
<b>1996</b>	1669									
<b>2001</b>	1823	1701	2.7	675	630	590	85	40	11.5	5.4
			2.8 *	651	608	590	61	18	8.3	2.4
			2.9	629	587	590	39	-3	5.2	-0.5
<b>2006</b>	1939	1788	2.7	718	662	590	128	72	17.3	9.8
			2.8 *	693	639	590	103	49	13.9	6.6
			2.9	669	617	590	79	27	10.6	3.6
<b>2011</b>	2055	1879	2.7	761	696	590	171	106	23.1	14.3
			2.8 *	734	671	590	144	81	19.4	11.0
			2.9	709	648	590	119	58	16.0	7.8
<b>2016</b>	2171	1975	2.7	804	731	590	214	141	28.9	19.1
			2.8 *	775	705	590	185	115	25.0	15.6
			2.9	749	681	590	159	91	21.4	12.3
<b>2021</b>	2287	2076	2.7	847	769	590	257	179	34.7	24.2
			2.8 *	817	741	590	227	151	30.6	20.5
			2.9	789	716	590	199	126	26.8	17.0

<sup>1</sup> Acreage based on 4.7 units per acre

<sup>2</sup> D.U. = dwelling unit

\* Analysis done for a 25 year population projection, using three different calculations of 'person per dwelling unit'.  
(The 1996 Census persons per dwelling unit was 2.8 for Picture Butte.)



Although land is available for future residential use, this may not address the issue of housing diversity. To this point the private sector has not constructed a variety of housing and the town has not been involved in property development. Municipalities can encourage a wider range of housing in several ways including:

- bylaws requiring a housing mix;
- a private-public partnership in building the desired housing type, in some way reducing the risk to the private sector;
- a town only project.

Using the assumption developed in the analysis, it appears that by the year 2021 the Town of Picture Butte could develop between 40 and 56 acres of residential land to accommodate a population projection of 2,395 people. This would require a need for approximately 265 new dwelling units to house the increased population.

Approximately 20 vacant residential lots (approximately 4.3 acres) existed at the time of the survey in the newer residential areas in the north and south ends of town and another 42 vacant residential lots (approximately 13.2 acres) exist in the southeast subdivision between Pitt Street and Grace Street. This means there are approximately 17.5 acres of designated residential land available for future development and that approximately 38.9 acres of urban reserve land may need to be zoned to residential to accommodate future growth over the next 25-year period.

## 6.2 COMMERCIAL LAND REQUIREMENTS

Future land requirement for commercial development will depend on a number of factors including:

- availability of prime retail and highway commercial land,
- influence of the City of Lethbridge,
- success of the economic development promotion.

As of the February 2003 Land Use Survey, the town had ten vacant retail commercial parcels in the downtown area and no vacant parcels in the highway commercial district as the land is still occupied by non-conforming uses such as dwellings.

### 6.2.1 Downtown Commercial

The growth of the downtown area is physically constrained by the railway to the south, the surrounding residential area and the industrial area to the east. A downtown redevelopment analysis and strategy would provide opportunities for infill and redevelopment of existing and underused parcels of land in the downtown core. The annexation in 1991 provides the town with enough suitable land for commercial growth, however the redevelopment of the downtown core should be a priority.

Although some commercial lots are available for development, the Town of Picture Butte should emphasize the following strategies in accommodating future commercial growth:

- undergo a downtown redevelopment study to identify potential growth areas,
- promote infill development on existing vacant lots.

### 6.2.2 Highway Commercial

Future requirements for highway commercial lands are often hard to determine, as this type of land is often a function of supply and demand. As well, growth and development of highway commercial activity is closely related to increased traffic on the highway, rather than actual population growth in the town itself.

The Existing Land Use Map (Map 2) indicates there is no vacant land available to accommodate future highway commercial development. The map also shows there are a number of nonconforming land use activities present in the designated highway commercial districts, which further impedes future highway commercial growth. If the town desires to attempt to attract some type of highway commercial development, suitable land should be identified and zoned for that purpose. Nonconforming uses should be encouraged to relocate in appropriate areas to open prime highway commercial sites.

Currently, approximately 4.7 acres of designated highway commercial uses are located along Highway Avenue at the entrances to town. Because it is not possible to make an accurate projection, the town may consider doubling the area of highway commercial development they already have developed to approximately 9 acres.

## 6.3 INDUSTRIAL LAND REQUIREMENTS

The 1991 Picture Butte Proposed Annexation Background Report shows Picture Butte as having 16.64 acres of land designated as industrial and indicated an industrial land requirement range of between 70 to 100 acres. The 1998 Land Use Bylaw indicates that Picture Butte has approximately 88 acres of land designated for industrial activities.

The recent annexation (1991) provides the town with enough suitable industrial land for some time. Therefore there is no need to designate more land for future industrial use in Picture Butte. However, as the industrial area is developed, the parcels along Industry Drive will require expansion of water and sewer servicing.

## 6.4 PARKS AND OTHER LAND REQUIREMENTS

Generally, development and subdivision may include as much as 10 percent of extra land for other uses. It is difficult to project future land requirements for public, institutional, recreational and open space activities. As the population grows and new development occurs, the need for expansion of these facilities will undoubtedly take place.

Most of the vacant lands within town are in large parcels of land and would require subdivision prior to any significant development activity. At the time of subdivision, municipal reserve should be taken and reserved for parks, open space and institutional as needed.

## 6.5 SUMMARY OF LAND REQUIREMENTS

A review of the preceding sections indicate that approximately 28 to 39 acres of land would be required to accommodate most land uses. The review of vacant land indicates that more than sufficient lands are available for the foreseeable future. About 195 acres exists to accommodate urban density residential uses as well as 35 acres in the northwest portion of town that could accommodate large lot subdivision. Potentially some 25 lots may be redeveloped in the plan period and the old reservoir site of 5.8 acres may also be redeveloped.

Providing land for commercial use may require the redevelopment of existing residential lots.

**Table 9**  
**Summary of Land Requirements**

Land Use	High Estimate	Low Estimate
Residential	27 acres	17 acres
Commercial land requirements (highway commercial)	9 acres	9 acres
Industrial	—	—
Parks (10% residential)	2.7 acres	1.7 acres
TOTAL	38.7 acres	27.7 acres

## 6.6 URBAN EXPANSION

From the analysis it seems that land is available for development for the foreseeable future. The town boundary may be expanded for the purpose of:

- commercial expansion,
- providing an alternative access to the northwest part of town,
- if a council identifies a need at some point in the future.

## 7. POLICIES AND PROGRAMS FOR THE FUTURE

Previous sections of this plan have analyzed land use and other municipal features of the town and identified issues and opportunities available. Using the information, the following policies have been developed.

### 7.1 FUTURE HOUSING

#### Issues

- Population growth has been steady if slow over the years. The town will need to provide nearly 40 acres for residential uses over the plan period.
- The housing stock is aging indicating that redevelopment and rehabilitation of housing will occur more in the future.
- More than 96 percent of the housing is in the form of single dwelling units. If housing is to accommodate both the diversity of economy and the aging population, the variety of housing types should change.
- No detailed plans exist for the large areas of land in the south and west of town. An old plan for the area south of town is only a sketch and has not incorporated the annexed land to the west.
- Housing diversity needs to be addressed in the future.

#### Policies

**7.1.1** The priority for housing in the future should be:

- continue toward the south,
- infill the northwest,
- the area south and west,

as shown on Guide Map 4.

**7.1.2** An area structure plan be prepared for all the area south and west of the town. The land is private land and therefore the town may assist in the preparation of an area structure plan, but will have to work closely with the property owners.

**7.1.3** Developers should be encouraged to provide a diversity of housing types. A variety of housing may be promoted in areas of town such as:

- in new area structure plans being adopted by council,
- on sites where existing houses are to be redeveloped,
- on larger sites that may become available such as the hospital site or the former water reservoir site,
- area of land east of the manufactured home park – the town owns some of this land.

- 7.1.4** Council should consider being more active in the provision of multi-dwelling housing developments by either entering into some private-public partnership or actually develop projects. Particular interest for council may be to provide low-maintenance, higher-density housing aimed at older segments of the population.
- 7.1.5** Some additional lots should be considered if an annexation occurs. This would be in conjunction with a solution for the access issue in the northwest as discussed in policy 7.4.3.
- 7.1.6** Council should test the soils in the site of the reclaimed water reservoir site. A design can be prepared to allow for infill housing.
- 7.1.7** The approval authorities should use its discretion to relax development standards when considering applications that would result in a considerable improvement to an existing lot that requires redevelopment.
- 7.1.8** A parcel of land east of the manufactured home park is partially owned by the town and should have a design prepared.

## 7.2 DEVELOPING THE ECONOMY

### Issues

- There is a need for more commercial land over the plan period, particularly for highway commercial uses and downtown land.
- The community seems to have sufficient industrial land for the plan period; however, an industry requiring a large area of land could reduce the supply quickly.
- It is important to protect the business enterprises that currently exist in the town.
- Picture Butte competes with towns throughout the region and even the province. Making a place for a community in the provincial economy is not an easy task.

### Policies

- 7.2.1** Larger vacant lots along Highway Avenue should be reserved for highway commercial uses.
- 7.2.2** With the closing of the railway, both sides of Jamieson Avenue are suitable for development.
- 7.2.3** Council received advice at the “Summit” meeting and council should continue to be in contact with the business community to ensure the town can meet their needs.
- 7.2.4** The town has produced some very good promotional material, most recently the town website. It is important to continue to develop these programs and fund the effort.

## 7.3 PUBLIC USE FACILITIES AND PROGRAM

### Issues

- Health care delivery and the provision of educational facilities in the town has become an issue that can affect town growth, and it is largely outside the jurisdiction of the local authority.
- Maintenance of parks is absorbing a larger portion of the municipal budget; however, these open spaces can contribute to the overall health and wellness of the town's residents.
- Assist in improving the general quality of life through public land and facilities.

### Policies

- 7.3.1** The town should support existing committees ensuring liaison with both health and education officials to allow for continuous input and influence. Committees may be able to sense problems in advance of the issue arising, allowing for a quick response. It will also allow the town to be more aware of Chinook Health Region plans and ensure the town is not surprised by decisions in the future.
- 7.3.2** New subdivisions and area structure plans should provide for park lands and create links to other open spaces.
- 7.3.3** Council should prepare a specific plan with priorities and budgeting considerations that will provide a reinvestment in public facilities which may include partnerships.

## 7.4 MUNICIPAL INFRASTRUCTURE

### Issues

- Currently the existing portion of town is well-serviced and experiencing no shortage of capacity for sewer, water and storm drainage. Areas of new development have yet to be evaluated.
- Access into the northwest of town is restricted to one road that flows by a school. As further development occurs, the problem of access will be more severe.
- The town currently has no sharing agreements with other municipalities for equipment or services.

### Policies

- 7.4.1** As council and private owners undertake area structure plans and designs for vacant areas of land, engineering work should be conducted to ensure sufficient capacities exist in the existing servicing lines.
- 7.4.2** Should deficiencies in infrastructure be identified in the area structure plan or design processes, council should prepare a schedule of improvements to coincide with the possible development of the lands in question.

- 7.4.3** Council should investigate obtaining land from the NE¼-3-11-21-W4M in the northwest part of town to complete a road link (see Map 4, Municipal Development Plan Guide Map). Some residential development could also be considered adjacent to this new connector.
- 7.4.4** Council should investigate the advantages of partnering with other municipalities for the provision of services or equipment.
- 7.4.5** When the town population approaches 2300, further analysis of the sewerage system capacity should occur.

## 7.5 INTERMUNICIPAL COOPERATION

### Issues

- In the past the Town of Picture Butte and County of Lethbridge have had an agreement regarding fringe area land use issues. The intermunicipal development plan had a sunset clause and the plan is no longer in effect.
- Municipalities are being encouraged by Alberta Municipal Affairs to cooperate with adjacent authorities to find opportunities for the sharing of services, equipment and administration.

### Policies

- 7.5.1** After the adoption of the municipal development plan, council should contact the County of Lethbridge and commence the process of preparing an intermunicipal development plan that may include:
- establishing formal communication between the two municipalities,
  - create a system for dispute resolution,
  - methods to ensure compatible land uses locate in the fringe district,
  - investigation into shared services.

## 7.6 MUNICIPAL GOVERNMENT ACT

### Issues

- Municipal development plans are required to have policies regarding:
  - location of uses locating close to sour gas facilities,
  - municipal reserve,
  - protection of agricultural land.

### Policies

- 7.6.1** There are no sour gas facilities currently in or near the town and, therefore, no immediate action is required. Should any facilities containing sour gas be developed in or near the town in the future, this policy should be reviewed.



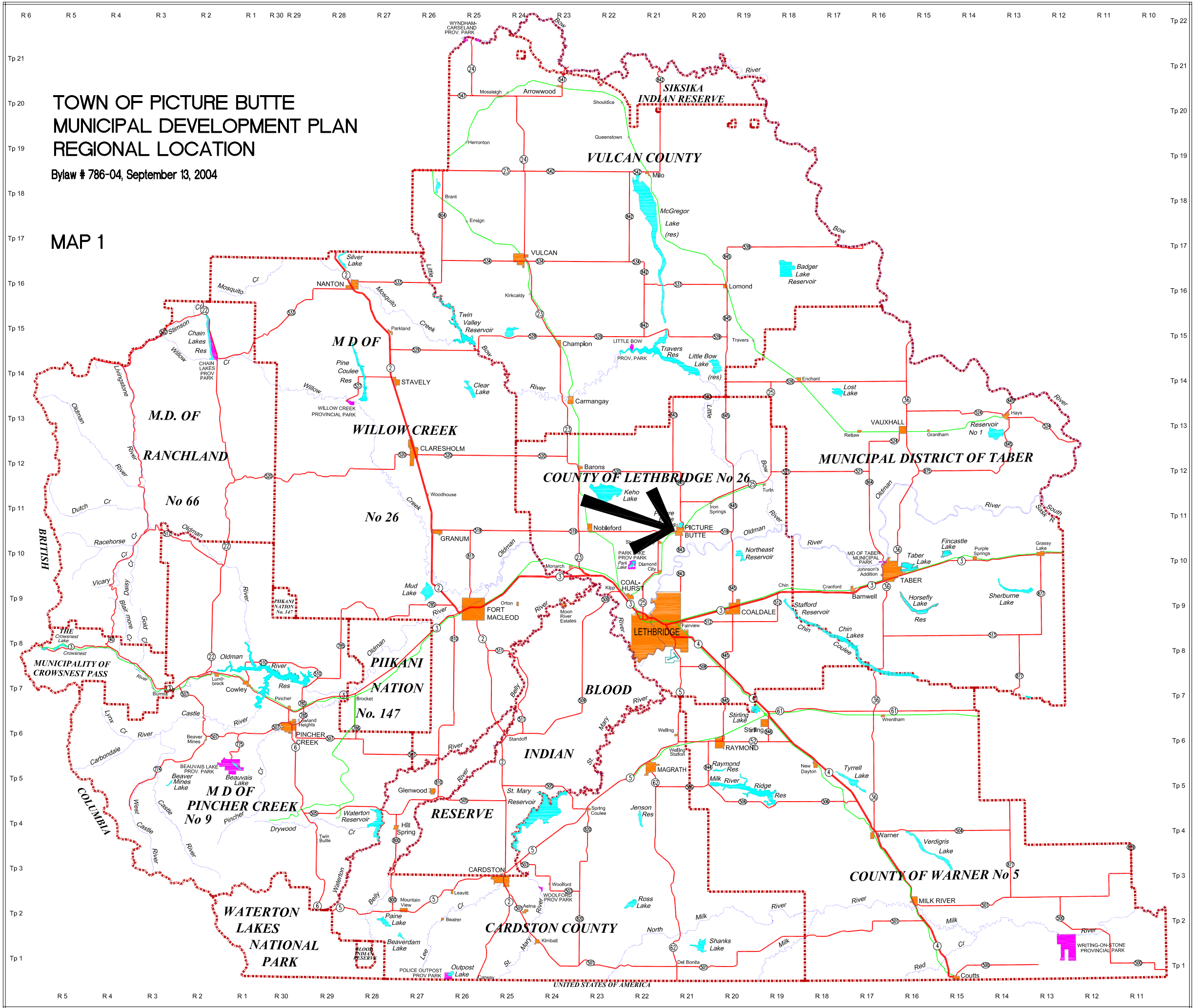
**7.6.2** The subdivision approval authority will take 10 percent municipal reserve from subdivisions where reserve is applicable in:

- land – for park areas in areas where an area structure plan or conceptual scheme indicates park space, buffer strips or walkways are proposed; or
- cash in lieu of reserve – in areas where parkland, buffer strips or walkways are not determined to be used.

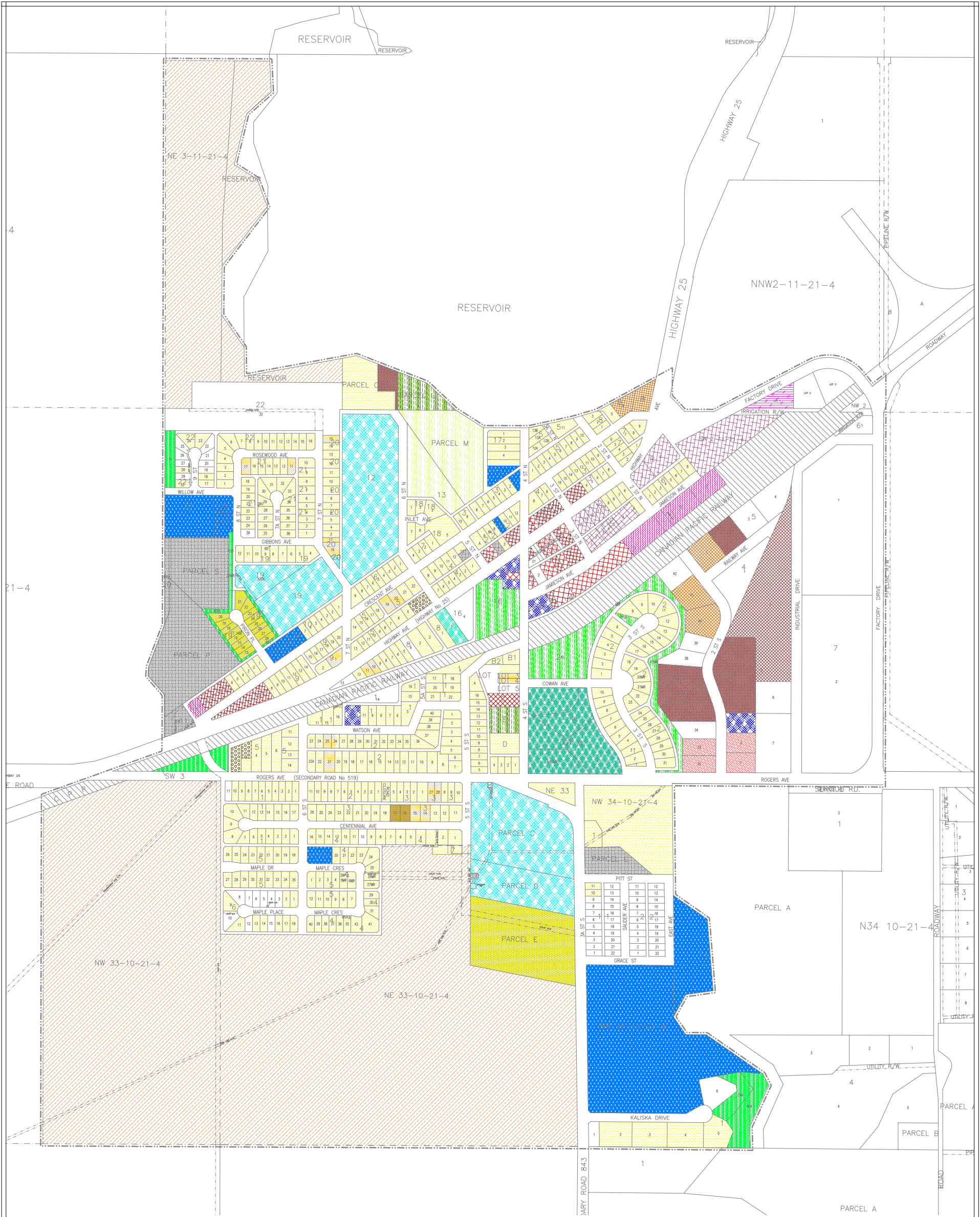
TOWN OF PICTURE BUTTE  
MUNICIPAL DEVELOPMENT PLAN  
REGIONAL LOCATION

Bylaw # 786-04, September 13, 2004

MAP 1







EXISTING LAND USE – July 2002

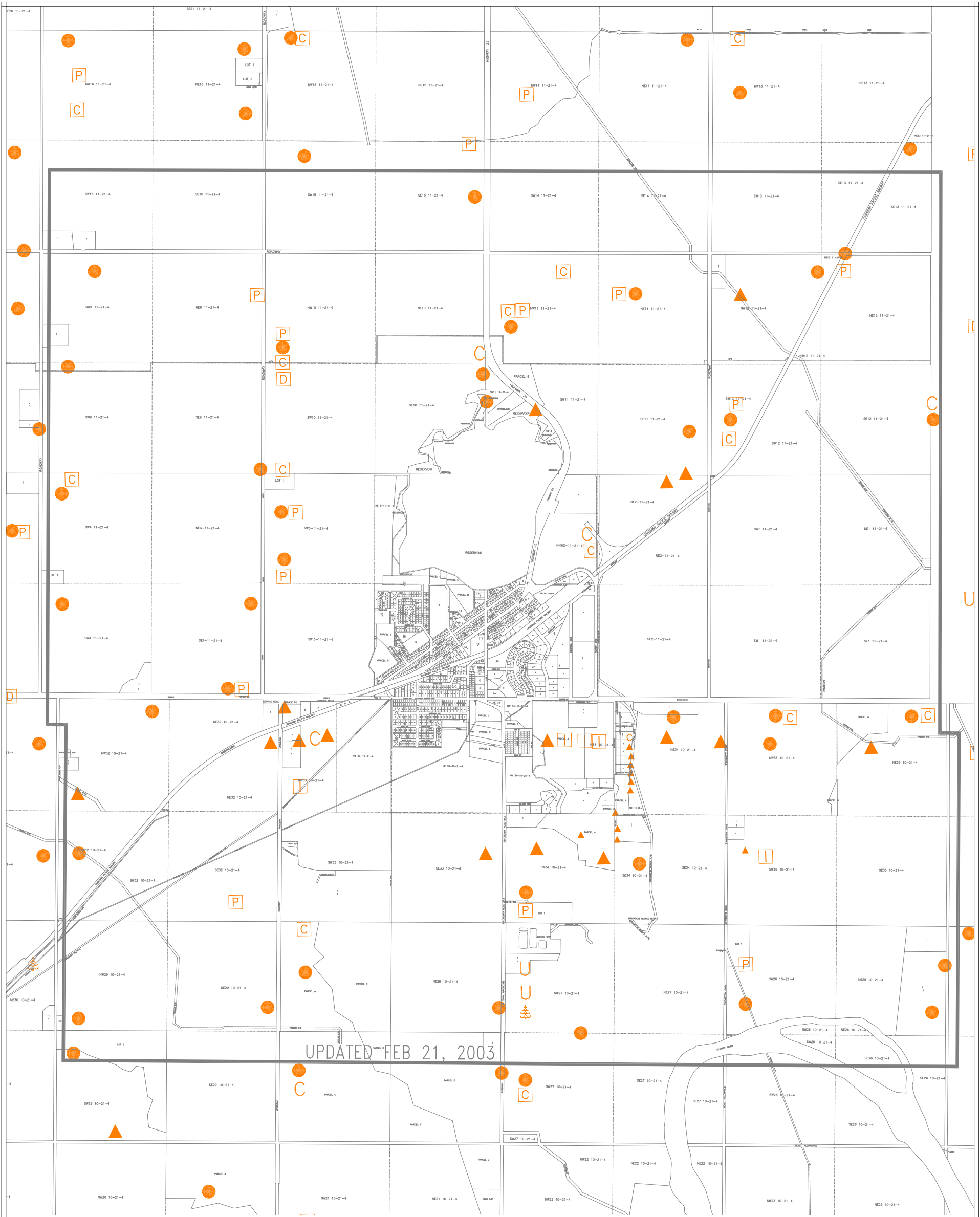
- |   |  |
|---|--|
| Residential-Single Family 1100 (44.5 ha)        | Public Institutional-Community 4300 (0.2 ha)           |
| Residential-2 Family 1200 (1.4 ha)              | Public Institutional-Hospital 4400 (3.3 ha)            |
| Residential-3-4 Family 1300 (0.2 ha)            | Public Institutional-Religious 4700 (12.5 ha)          |
| Residential-Multi Family 1400 (0.4 ha)          | Transport-Railway 5300 (9.9 ha)                        |
| Residential-Mobile Home 1600 (4.7 ha)           | Transport-Utilities 5500 (6.5 ha)                      |
| Commercial-Retail 2100 (1.2 ha)                 | Recreation/Open Space-Indoor Recreation 6300 (1.1 ha)  |
| Commercial-Wholesale 2200 (3.0 ha)              | Recreation/Open Space-Outdoor Recreation 6400 (3.5 ha) |
| Commercial-Service 2300 (1.3 ha)                | Recreation/Open Space-Parks 6500 (3.4 ha)              |
| Commercial-Transportation 2400 (0.7 ha)         | Recreation/Open Space-Open Green Space 6600 (2.4 ha)   |
| Commercial-Contracting 2500 (1.8 ha)            | Agriculture 7000 (87.5 ha)                             |
| Commercial-Building 2600 (1.2 ha)               | Roads/Lanes ROAD(42.5 ha)                              |
| Commercial-Warehouse 2700 (6.8 ha)              | Vacant V (29.0 ha)                                     |
| Industrial-Manufacturing                        | Municipal Boundary (284.8 ha)                          |
| -Food/Beverage/Durable Goods 3100 (0.3 ha)      |  |
| Industrial-Agicultural-Processing 3500 (1.3 ha) |  |
| Public Institutional-Educational 4100 (12.8 ha) |  |
| Public Institutional-Government 4200 (0.9 ha)   |  |

TOWN OF PICTURE BUTTE  
MUNICIPAL DEVELOPMENT PLAN  
EXISTING LAND USE - JULY 2002

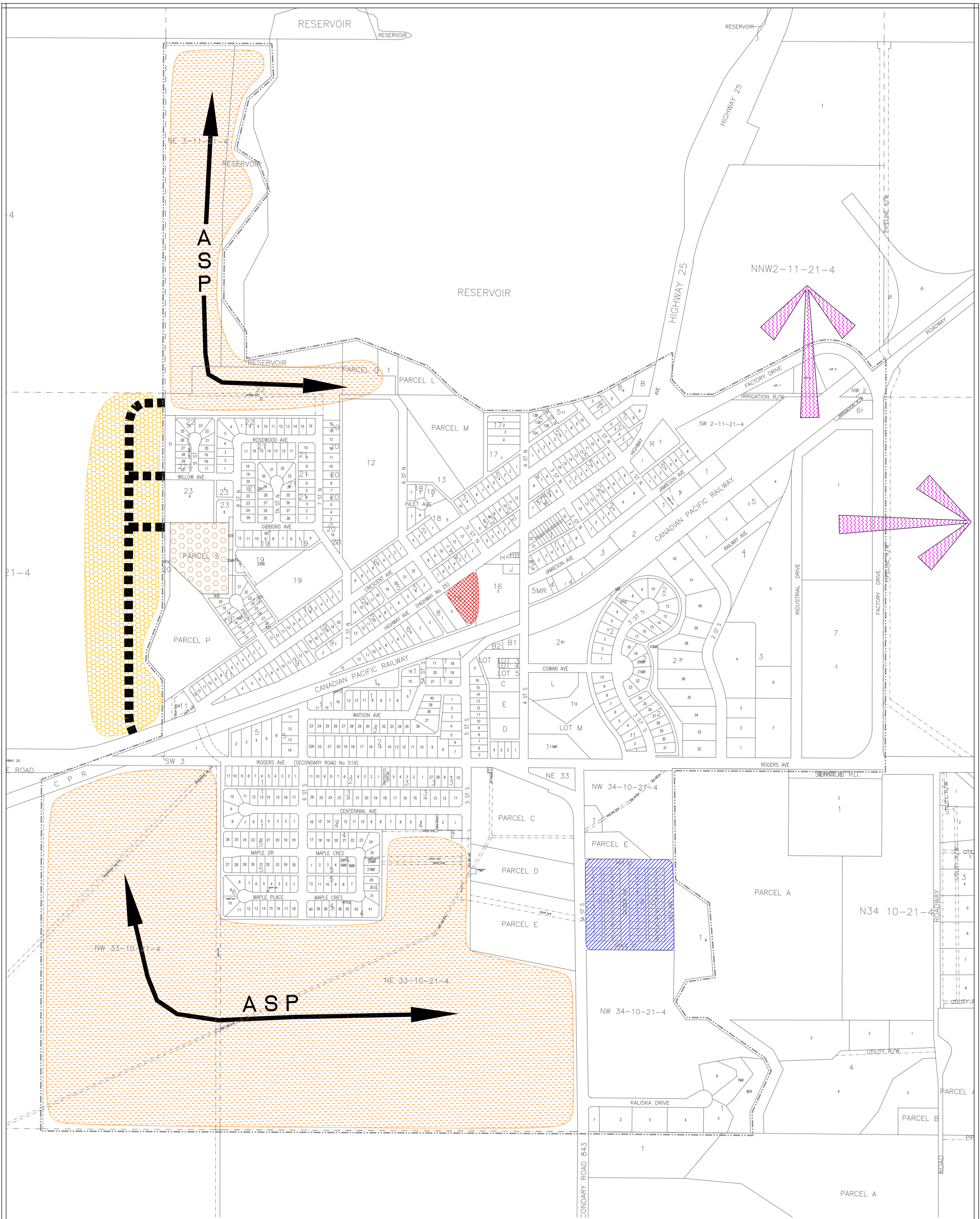
Bylaw # 786-04, September 13, 2004

MAP 2

UTM ZONE-12, DATUM-NAD27  
N:\Lethbridge-County\Picture Butte\Picture Butte MDP\  
PButte MDP Map2-3-4.dwg  
October 28, 2004







**TOWN OF PICTURE BUTTE**  
**MUNICIPAL DEVELOPMENT PLAN**  
**GUIDE MAP**  
Bylaw # 786-04, September 13, 2004

**MAP 4**

- First Priority For Residential Development, Policy 6.2.1.
- ASP** Need Area Structure Plan To Coordinate Development, Policy 6.2.2.
- Infill Housing Policy, 6.2.5.
- Additional Land For Housing, Policy 6.2.4.
- Prepare Design, Policy 6.2.7.
- New Road Connector, Policy 6.8.3.
- Possible Highway Commercial.
- Possible Industrial Expansion.

### **Bylaw No. 797-06 - Amendments**

Bylaw No.	Amendment Description	Passed
900-20	To allow unpaid expenses to be added to the Tax Roll after remaining unpaid for 90 days.	September 28, 2020

# **TOWN OF PICTURE BUTTE**

## **BYLAW # 797/06**

**A Bylaw of the Town of Picture Butte to regulate unsightly property and to require the timely removal of ice and snow from sidewalks.**

**WHEREAS** Section 7 of the Municipal Government Act R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people; the protection of people and property; nuisances, including unsightly property; services provided for by or on behalf of the municipality; public utilities; and the enforcement of bylaws;

**AND WHEREAS** the Council deems it necessary to provide for an efficient means of regulating and encouraging the abatement of unsightly premises within the Town of Picture Butte;

**AND WHEREAS** the Council deems it necessary to require the timely removal of ice and snow from the sidewalks located within the Town of Picture Butte;

**NOW, THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts as follows:

### **TITLE**

- 1) This Bylaw may be cited as the “Unsightly Property Bylaw”.

### **DEFINITIONS**

- 2) In this Bylaw, unless the context otherwise requires,
  - a) **“Act”** means the Municipal Government Act R.S.A. 200, c. M-26 and any regulations and amendments made under the Municipal Government Act;
  - b) **“Bylaw Enforcement Officer”** means a Person appointed to enforce the provisions of this Bylaw, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Special Constable.
  - c) **“Chief Administrative Officer”** means the person appointed to the position of Chief Administrative Officer by the Council of the Town of Picture Butte and includes any person that the Chief Administrative Officer may appoint as his designate for purposes of carrying out his responsibilities under this Bylaw and further includes any person that may be appointed to act in the absence of the Chief Administrative Officer;



- d) **“Council”** means the Municipal Council of the Town of Picture Butte;
- e) **“Designated Officer”** is defined under Section 210 of the Municipal Government Act;
- f) **“Improvement”** means a structure or anything attached or secured to a structure that would be transferred without special mention by a transfer or sale of the structure, including but not limited to a manufactured home or mobile home, or machinery or equipment;
- g) **“Occupant”** means any Person other than the Registered Owner who is in possession of the Property, including, but not restricted to, a lessee, licensee, tenant or agent of the Owner;
- h) **“Order”** means a document issued by a Designated Officer pursuant to the provisions of this Bylaw, or Section 545 or Section 546 of the *Act*, requiring any Person to take any action necessary to remedy the contravention of this Bylaw or the *Act*;
- i) **“Owner”** includes the Person shown as the owner on the Land Title for a property, the occupant of a premises, the lessee or tenant of a premises, the Condominium Board of a condominium property, a property management company that holds itself out as the Person responsible for the maintenance of a premises, or the owner or operator of a Commercial Operation, as the case may require;
- j) **“Person”** means any person, firm, partnership, association, corporation, company or organization of any kind.
- k) **“Property”** means a parcel of land, an improvement, or a parcel of land and the improvements to it;
- l) **“Structure”** means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land;
- m) **“Town”** means the Town of Picture Butte, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the Town of Picture Butte, as the context may require;
- n) **“Unsightly Property”** means property as described in Section 4 of this Bylaw;
- o) **“Violation Ticket”** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34. as amended or repealed and replaced from time to time, and any Regulations thereto.

## **UNSIGHTLY PROPERTY**

- 3) No Person being the Owner or Occupant of a Property within the Town of Picture Butte shall permit the Property to be or remain as an Unsightly Property.
- 4) Unsightly Property is Property that in the opinion of the Designated Officer, is detrimental to the surrounding area because of its unsightly condition as defined in Section 546 of the *Act*.
- 5) Some factors that may be considered by a Designated Officer in determining whether property is Unsightly Property include, but shall not be limited to, the following:
  - a) the presence of grass or weeds that exceed 20 centimeters (8 inches) in length;
  - b) the presence of trees or portions of trees that, due to a deterioration of condition or for any other reason, are a public safety hazard;
  - c) the outdoor presence of vehicles that are wrecked, dismantled or inoperable;
  - d) the outdoor presence of more than one vehicle that is not registered with the Motor Vehicle Registry for the current year;
  - e) the outdoor presence of a vehicle that is not parked in an off-street parking area as described in Schedule 8 of the Land Use Bylaw # 747;
  - f) the outdoor storage or accumulation of
    - i) waste from domestic, commercial or industrial activities,
    - ii) animal feces or carcass (in whole or part),
    - iii) litter,
    - iv) refuse (including but not limited to building materials, tires, boxes, dishes, empty tins, cartons, bottles, paper, scrap material),
    - v) equipment,
    - vi) dilapidated furniture or appliances,
    - vii) machinery or parts thereof,
    - viii) automotive parts,
    - ix) petroleum products,
    - x) hazardous materials, or
    - xi) other similar material or items;
  - g) specific or general lack of repair or maintenance including but not limited to:
    - i) significant deterioration of Improvements or portions of Improvements, or Structures within or on the Property;
    - ii) broken or missing windows, siding, shingles, shutters, eaves or other building materials;

- h) the location, zoning, use and visibility of property.

### **INSPECTION**

- 6) A Designated Officer may inspect Property in accordance with Section 542 of the *Act* for the purposes of determining whether:
  - a) Property is Unsightly Property under this Bylaw because its unsightly condition is detrimental to the surrounding area in accordance with Section 546 of the *Act*;
  - b) there has been compliance with an Order issued under Section 8 of this Bylaw; or
  - c) there has been compliance with an Order issued in accordance with subsection 546 (1) (c) of the *Act*.
- 7) The Town may apply to the Court of Queen's Bench to authorize inspection and enforcement in accordance with Section 543 of the *Act* if a Person refuses to allow or interferes with entry for inspection.

### **ORDER**

- 8) If, in the opinion of a Designated Officer, a Property is detrimental to the surrounding area because of its unsightly condition, the Designated Officer may issue a written Order in accordance with subsection 546 (1) (c) of the *Act* to the Owner or Occupant of the Property to improve the appearance of the Property in the manner specified, or if the property is a Structure, remove or demolish the structure and level the site.
- 9) The Order may
  - a) state a time, not to be less than seven (7) days from the date of the issuance of the Order, within which the Person must comply with the Order;
  - b) state that if the Person does not comply with the Order within a specified time, not to be less than seven (7) days from the date of issuance of the Order, the municipality will take the action or measure at the expense of the Person.
- 10) No Person shall fail to comply with an Order issued under Section 8 of this Bylaw within the time specified in the Order unless an appeal is made in accordance with Section 12 of this Bylaw.

### **REMEDY UNSIGHTLY CONDITION OF PROPERTY**

- 11) If an Order has been issued under Section 8 of this Bylaw and not complied with within the time period set out in that Order and an appeal has not been submitted in

accordance with Section 12 of this Bylaw, the Town may take whatever actions or measures are necessary to:

- a) deal with the unsightly condition of the Property in accordance with Section 550 of the *Act*; and
- b) collect any unpaid costs or expenses incurred by the Town in accordance with the *Act*.

The costs and expenses of the actions or measures taken by the Town are charged in addition to any penalty imposed under this Bylaw.

### **REVIEW OF ORDERS**

- 12) A Person who receives an Order under Section 8 of this Bylaw may, within 7 days after the date the Order is received, give written notice requesting council to review the Order.
- 13) After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.
- 14) No Person shall fail to comply with an Order that has been confirmed, varied, or substituted by Council within the time specified by Council unless an appeal is made in accordance with Section 15 of this Bylaw.

### **APPEAL TO COURT**

- 15) A Person affected by the decision of Council under Section 13 of this Bylaw may appeal to the Court of Queen's Bench in accordance with Section 548 of the *Act*.

### **SNOW OR ICE ON SIDEWALKS**

- 16) An Owner or Occupant shall ensure the removal of all snow and ice from any improved public sidewalk located adjacent to the Property owned or occupied by them, whether deposited by natural or unnatural means, within 24 hours of deposit.
- 17) For the purpose of Section 16 of this Bylaw, snow and ice will be considered removed when the sidewalk is cleared of snow and ice to the sidewalk surface as completely as reasonably possible for the entire width of the sidewalk, including private driveway crossings. Where a sidewalk is below grade resulting in repeated coverage by ice or water through drainage of melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and salt-free material, such as sand, must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians.
- 18) For the purpose of Section 16 of this Bylaw, where an Owner or Occupant reasonably anticipates being absent, the Owner or Occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.

- 19) If after 24 hours of deposit of snow or ice the Owner or Occupant has failed to remove all snow and ice in accordance with this Bylaw, the Town may remove or cause to be removed any snow or ice.
- 20) (Amended by Bylaw No. 900-20) Council will add unpaid expenses and costs incurred by the Town for removing the snow and ice in respect of the parcel of the land to the Tax Roll if they remain unpaid 90 days after the invoice has been issued.

### **OFFENCES AND PENALTIES**

- 21) Any Person who fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not more than \$5000.00 or in default of payment of the fine to imprisonment for a period not exceeding 6 months, or to both fine and imprisonment in such amounts.
- 22) The specified penalty payable in respect of a contravention of a specified provision of this Bylaw is as provided for in Schedule "A" of this Bylaw as may be amended by resolution of Council from time to time, said Schedule being hereby incorporated into and made part of this Bylaw.
- 23) A Bylaw Enforcement Officer is hereby authorized and empowered, at the Bylaw Enforcement Officer's discretion, to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 24) Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets may be issued by a Bylaw Enforcement Officer provided, however, that no more than one Violation Ticket shall be issued for each day the contravention continues.

### **SEVERABILITY**

- 25) It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.

### **REPEAL**

- 26) Bylaw # 542 - 80 and Bylaw # 565 – 81 and amendments thereto are hereby repealed.

### **EFFECTIVE DATE**

27) This Bylaw shall come into effect on the date of final passing thereof.

MOVED by Councillor Oliver that Bylaw 797-06 - Unsightly Premises being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a first time this 26<sup>th</sup> day of June, 2006.

CARRIED

MOVED by Mayor Stevens that Bylaw 797-06 – Unsightly Premises Bylaw being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a second time this 26<sup>th</sup> day of June, 2006.

CARRIED

MOVED by Councillor Hurkens for permission to proceed to third reading of the Unsightly Premises Bylaw, Bylaw 797-06 being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks.

CARRIED UNANIMOUSLY

MOVED by Councillor Sheen that Bylaw 797-06 – Unsightly Premises Bylaw being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a third time this 26<sup>th</sup> day of June, 2006.

CARRIED

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Mayor

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Chief Administrative Officer

### **SCHEDULE “A”**

Section 3 – First Offence \$ 250.00

Section 3 – Subsequent Offences within 12 months \$ 500.00

Section 10 – First Offence \$ 500.00

Section 10 – Subsequent Offences within 12 months \$1000.00

Section 14 – First Offence \$1000.00

Section 14 – Subsequent Offences within 12 months \$2000.00

Section 16 – First Offence	\$ 150.00
Section 16 – Subsequent Offences within 12 months	\$ 300.00



Alberta Energy and Utilities Board  
10<sup>th</sup> Floor, 10055 – 106<sup>th</sup> Street  
Edmonton, Alberta  
T5J 2Y2

**RE:    RENEWAL OF A NATURAL GAS FRANCHISE AGREEMENT**

The Council of the Town of Picture Butte hereby applies to the Alberta Energy and Utilities Board for approval to renew a natural gas franchise agreement between the Town of Picture Butte and ATCO Gas and Pipelines Ltd.

Enclosed herewith is a copy of Bylaw No. 798-06 read the first time on the 23<sup>rd</sup> day of May, 2006.

The Council hereby declares:

- a) That the privilege or franchise granted under the natural gas franchise renewal agreement is necessary and proper for the public convenience and properly conserves the public interests.
- b) That the scheme of ATCO Gas and Pipelines Ltd. For the delivery of natural gas under the provisions of the natural gas franchise renewal agreement is reasonable and sufficient having regard to the general circumstances.
- c) That with respect to the delivery of natural gas to the Town of Picture Butte the natural gas utility has provided the construction, equipment, maintenance, service or operation as the public convenience and interests reasonably require.
- d) That having regard to the deliverability of natural gas in the area in which the Municipality is situated and to any other circumstances, the granting of the franchise or privilege in the natural gas franchise renewal agreement is to the general benefit of the area directly or indirectly affected thereby.
- e) That the natural gas supplier has fully discussed all proposed changes to the natural gas franchise agreement with the Council and the Council understands the reasons for this renewal and is in agreement with them.
- f) That the rights conferred by the Town of Picture Butte in the Agreement are not exclusive as against Her Majesty the Queen in the Right of the Province of Alberta.

Additionally, the Town of Picture Butte hereby consents to the matter being determined without a hearing if no objections are filed with the Alberta Energy and Utilities Board following published notice of the pending renewal agreement.

For the purposes of advertising notice, Sunny South News is the newspaper with the largest circulation with the Town of Picture Butte.

**DATED THIS 23<sup>rd</sup> DAY OF MAY A.D., 2006**

SIGNED:

\_\_\_\_\_  
(Mayor - Jon Stevens)

\_\_\_\_\_  
(Chief Administrative Officer – Norm McInnis)

**Bylaw No. 798-06**

A Bylaw of the Town of Picture Butte to authorize the Mayor and Chief Administrative Officer to execute an agreement with ATCO Gas and Pipelines Ltd., to renew an agreement with, and to confer a franchise on ATCO Gas and Pipelines Ltd. to deliver natural gas to customers within the Town of Picture Butte.

**WHEREAS** ATCO Gas and Pipelines Ltd. has requested a franchise be granted to provide gas services to customers within the Town of Picture Butte;

**AND WHEREAS** it is deemed that such an agreement would be of benefit to customers within the Town of Picture Butte;

**THEREFORE** under the authority of the Municipal Government Act, S.A. 1994, Chapter M-26.1, Part 3, Division 3, Section 45-47 be it enacted that the Mayor and the Chief Administrative Officer be authorized to sign the agreement which is attached to and forming part of this By-law and marked as Schedule “A” between the Town of Picture Butte and ATCO Gas and Pipelines Ltd to renew an agreement with and to confer a franchise on ATCO Gas and Pipelines Ltd. to deliver natural gas services within the Town of Picture Butte;

This Bylaw shall come into force upon the agreement being approved by the Alberta Energy and Utilities Board for the Province of Alberta, and upon being given Third reading and finally passed.

READ a First time this 22<sup>nd</sup> day  
of May, 2006

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Mayor –  
Jon Stevens

READ a Second time this 28<sup>th</sup> day of  
August, 2006

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Chief Administrative Officer –  
Norm McInnis

READ a Third time and finally  
passed this 28<sup>th</sup> day of August, 2006

TOWN OF PICTURE BUTTE  
BYLAW #818/09

A BYLAW OF THE TOWN OF PICTURE BUTTE to govern the appointment of Municipal Library Board members.

WHEREAS, the Council of the Town of Picture Butte wishes to comply with Part 1 of *The Alberta Libraries Act, Chapter L-11*, Amended 2006

NOW THEREFORE, pursuant to Section 7(f) of the *Municipal Government Act* of Alberta, Chapter M-26, the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

DEFINITIONS

- 1) "Council" means the Municipal Council of the Town of Picture Butte.
- 2) "Municipal Board" means the Picture Butte Municipal Library Board.

APPLICATION

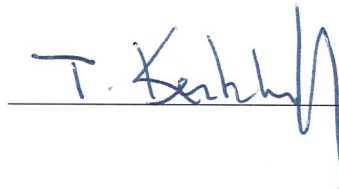
- 3) A Municipal Board shall consist of not fewer than five and not more than ten members appointed by Council.
- 4) A person who is an employee of the Municipal Board is not eligible to be a member of that Board.
- 5) Not more than two members of Council may be members of the Municipal Board.
- 6) A member of the Municipal Board is eligible to be reappointed for only two additional consecutive terms of office, unless at least two-thirds of the whole Council passes a resolution stating that the member may be reappointed as a member for more than three consecutive terms.
- 7) Appointments to the Municipal Board shall be for a term of up to three years.
- 8) Notwithstanding Section 7, the term of office of a member continues until a member is appointed in that member's place.
- 9) Board member disqualification:
  - a. A person is disqualified from remaining a member of a Municipal Board if the person fails to attend, without being authorized by a resolution of the Municipal Board to do so, three consecutive regular meetings of the Municipal Board.
  - b. If a member of the Municipal Board is disqualified from remaining a member under subsection a, the person is deemed to have resigned the person's seat on the Municipal Board.

This Bylaw shall come into effect on the final day of passing thereof.

MOVED by Councilor Elaschuk that Bylaw #818/09 be read a first time this 27<sup>th</sup> day of July 2009.

MOVED by Councillor Jones that Bylaw #818/09 be read a second time this 24<sup>th</sup> day of August 2009.

MOVED by Councillor Nummi that Bylaw #818/09 be read a third time and finally passed this 24<sup>th</sup> day of August 2009.

A handwritten signature in blue ink, appearing to read "T. Kerkhoff", written over a horizontal line.

Terry Kerkhoff  
Mayor

A handwritten signature in black ink, appearing to read "Audrey R. Mortensen", written over a horizontal line.

Audrey R. Mortensen  
Chief Administrative Officer

**BYLAW NO. 819-09**  
**OF THE TOWN OF PICTURE BUTTE**  
(hereinafter referred to as “the Municipality”)  
**IN THE PROVINCE OF ALBERTA**

**This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of a debenture in the amount of \$1,200,000.00 for the purpose of constructing a regional water line.**

**WHEREAS:**

The Council of the Town of Picture Butte has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of a regional water line.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$1,200,000.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Provincial Grants	\$5,338,900.00
Debenture(s)	\$1,200,000.00
Total Cost	\$6,538,900.00

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$1,200,000.00 for a period not to exceed TWENTY (20) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty years.

The principal amount of the outstanding debt of the Municipality at December 31, 2008 is \$894,966.00 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of constructing the regional water line the sum of ONE MILLION, TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$1,200,000.00 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the construction of a regional water line.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed twenty (20) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed TEN (10%) percent.

- 4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
- 5. The indebtedness shall be contracted on the credit and security of the Municipality.
- 6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
- 7. This by-law comes into force on the date it is passed.

READ A FIRST TIME THIS 24th DAY OF AUGUST 2009.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

\_\_\_\_\_  
Terry Kerkhoff  
Mayor

\_\_\_\_\_  
Audrey R. Mortensen  
Chief Administrative Officer



## Schedule “C” Responsibilities

**AC** = Assistant Clerk from member municipality

**A** = Assessor from member Municipality

**C** = Clerk for Regional Board (ORRSC or as designated by Director)

	<b>Receipt of Appeal</b>
AC	<ul style="list-style-type: none"> <li>Collect fee</li> </ul>
AC	<ul style="list-style-type: none"> <li>Review appeal for validity/compliance with legislation</li> </ul>
AC	<ul style="list-style-type: none"> <li>Open file and send to Assessor &amp; Clerk</li> </ul>

	<b>Initial Stages</b>
A/AC	<ul style="list-style-type: none"> <li>Preliminary discussions and disclosure of information occurs between Complainant and Assessor</li> </ul>
A/AC	<ul style="list-style-type: none"> <li>Assessor advises Assistant Clerk if matter is resolved or proceeding to appeal</li> </ul>
AC	<ul style="list-style-type: none"> <li>If resolved, Assistant Clerk advises Clerk and administers withdraw in accordance with local practice (refund fee MGA Sec, 481(2))</li> </ul>
AC	<ul style="list-style-type: none"> <li>If proceeding, Assistant Clerk advises Clerk and forwards copy of all appeal documents</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk advises Regional Clerk of hearing location preference</li> </ul>

	<b>Confirmation of Receipt of Appeal</b>
C	<ul style="list-style-type: none"> <li>Review appeal for appeal type/validity/compliance with legislation</li> </ul>
C	<ul style="list-style-type: none"> <li>Determine if issue exists for merit hearing</li> </ul>

	<b>Assignment of Resources</b>
C	<ul style="list-style-type: none"> <li>Open file/identify all parties involved</li> </ul>
C	<ul style="list-style-type: none"> <li>Assign administrative support and Board members</li> </ul>
C	<ul style="list-style-type: none"> <li>Establish hearing date, schedule facility, Board members</li> </ul>

	<b>Send Notice of Hearing to Complainant</b>
C	<ul style="list-style-type: none"> <li>Copies to Assistant Clerk, Assessor and Minister (if CARB)</li> </ul>
C	<ul style="list-style-type: none"> <li>Copies if necessary to property owner, agent, lessee, etc...</li> </ul>

	<b>Disclosure</b>
AC/A	<ul style="list-style-type: none"> <li>Complainant provides first disclosure to Assistant Clerk and Assessor</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps submission and forwards a copy to Clerk</li> </ul>
A	<ul style="list-style-type: none"> <li>Assessor submits response to Assistant Clerk and Complainant</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps Assessor's submission and forwards a copy to Clerk</li> </ul>
AC	<ul style="list-style-type: none"> <li>Complainant provides rebuttal to Assistant Clerk and Assessor</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps submission and forwards a copy to Clerk</li> </ul>

	<b>Agenda</b>
C	<ul style="list-style-type: none"> <li>Clerk verifies all disclosures</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk verifies attendance of all parties</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk produces agenda packages and provides copies at the hearing for members and public</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk liaises with Board and provides all material necessary – including legislation</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk prepares templates for minutes and decisions of Board</li> </ul>

	<b>Appeal Hearing</b>
C	<ul style="list-style-type: none"> <li>Clerk attends hearing and produces minutes that identify all issues presented to Board</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk attends deliberations and produces a decision from the Board that identifies all issues, arguments, reasons for the decision (including both conforming and dissenting reasons)</li> </ul>

	<b>Send Notice to Complainant</b>
C	<ul style="list-style-type: none"> <li>Copies to Assistant Clerk, Assessor and Minister (if CARB)</li> </ul>
C	<ul style="list-style-type: none"> <li>Copies if necessary to property owner, agent, lessee, etc...</li> </ul>

	<b>Reporting</b>
C	<ul style="list-style-type: none"> <li>Clerk provides Assistant Clerk with a reporting package of the appeal which includes:</li> </ul>
C	<ul style="list-style-type: none"> <li>– Invoice for services in accordance with agreement</li> </ul>
C	<ul style="list-style-type: none"> <li>– Copy of hearing minutes</li> </ul>
C	<ul style="list-style-type: none"> <li>– Statistics (where necessary)</li> </ul>
C	<ul style="list-style-type: none"> <li>– Feedback form to establish best practices and service standards for quality control</li> </ul>
C	<ul style="list-style-type: none"> <li>– Clerk compiles and retains a record of the hearing in accordance with legislation and regulations</li> </ul>

## **Schedule “D” Fees**

### **Regional Assessment Board Annual Dues**

Each municipal member shall be invoiced a \$200 administrative fee annually, payable to Oldman River Regional Services Commission.

### **Remuneration**

Board Members shall receive honorariums for adjudicating at formally scheduled Hearings or taking appropriate training. Honorariums shall be awarded on the following basis:

MERIT Half day – Four (4) hour block \$100.00

MERIT Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

LARB Half day – Four (4) hour block \$100.00

LARB Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

CARB Half day – Four (4) hour block \$200.00

CARB Full day – Four plus (4+) hour block, excluding lunch hour \$400.00

Board Members and the Designated Officer shall receive compensation for travel based on the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation for performing adjudication duties or taking appropriate training.

Board Members and the Designated Officer shall receive reimbursement for meals incurred while performing adjudication duties or taking appropriate training. A reasonable meal allowance will be offered and will most often be authorized and organized by the Designated Officer.

Guidance to limitations can be derived from the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation.

Board Members and the Designated Officer shall receive reimbursement for any lodging accommodations required while performing adjudication duties or taking appropriate training.

Provincial Members shall receive reimbursement for all expenses incurred and at the rates prescribed by the Province.

### **Category of Complaint Fee**

Filing fees are determined and collected by individual Municipalities through either a Fees Bylaw or Fee Policy.

In response to recent provincial legislation, the affected Municipality will refund assessment complaint fees when the board or (on appeal) the Court of Queen's Bench decides in favour of the complainant. The fee will also be refunded if a complaint is withdrawn because agreement was reached with an assessor to correct the matter under complaint.

The following fees are suggested, but are NOT mandatory:

Residential 3 or fewer dwellings and farm land – \$50.00

Residential 4 or more dwellings – \$650.00

Non-residential – \$650.00

Business Tax – \$50.00

Tax Notices (other than business tax) – \$30.00

Linear property-power generation – \$650.00 per facility

Linear Property – other \$650.00 per LPAUID

Equalized assessment – \$650.00

**TOWN OF PICTURE BUTTE**

**BYLAW 832-13**

**A BYLAW IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE NUMBER OF COUNCILLORS WHO SERVE ON TOWN COUNCIL AS PROVIDED BY THE *MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26***

**WHEREAS** there are presently seven (7) council members, including the chief elected official, on the municipal council of the Town of Picture Butte;

**AND WHEREAS** Section 143(2) of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, 2000, states the "The council of a city or town consist of seven (7) councillors unless the council passes a bylaw specifying a higher or lower odd number;

**AND WHEREAS** Council deems it adequate that the Town of Picture Butte council should consist of five (5) councillors including the chief elected official;

**AND WHEREAS** notice of intention to pass this bylaw has been advertised in accordance with Section 144(3) of the Municipal Government Act, Chapter M26 of the Revised Statutes of Alberta, 2000.

**NOW, THEREFORE**, the Municipal Council of the Town of Picture Butte, duly assembled, thereby enacts as follows:

1. THAT for the purposes of the October 2013 general municipal election and thereafter, Picture Butte Town Council shall be comprised of five (5) councillors, one of whom is the chief elected official.

This bylaw shall come into force and effect upon third and final reading.

READ A FIRST TIME in open council this 8<sup>th</sup> day of April, 2013

READ A SECOND TIME in open council this 22<sup>nd</sup> day of April, 2013

READ A THIRD AND FINAL TIME in open council this 22<sup>nd</sup> day of April, 2013

**TOWN OF PICTURE BUTTE**

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**MAYOR**

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**CAO**

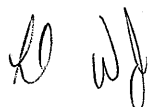
**BY-LAW NO. 840-15**  
**A BY-LAW OF THE TOWN OF PICTURE BUTTE**  
**IN THE PROVINCE OF ALBERTA**  
**"MUNICIPAL EMERGENCY MANAGEMENT BYLAW"**

WHEREAS the Council of the Town of Picture Butte is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of December 11, 2013), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This By-law may be cited as the Municipal Emergency Management By-law.
2. In this By-law,
  - (a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - (b) "Chief Administrative Officer" means the Town manager as defined by section 207 of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26
  - (c) "Council" means the Council of the Town of Picture Butte;
  - (d) "disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;





- (e) "Emergency Advisory Committee" means the committee established under this By-law;
  - (f) "emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
  - (g) "Minister" means the Minister charged with administration of the Act;
  - (h) "Municipal Emergency Management Agency" means the agency established under this By-law; and
  - (i) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 12 of this By-law.
5. Council shall
- (a) by resolution, appoint the Mayor, the Deputy mayor, the Director of Emergency Management, the Chief Administrative Officer, the Director of Operations, the Fire Chief, a public member at large to serve on the Emergency Advisory Committee;
  - (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
  - (c) by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management;
  - (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Picture Butte;



- (e) approve the Town of Picture Butte's emergency plans and programs; and
- (f) Shall appoint the Chief Administrative Officer as the Deputy Director of Emergency Management.
- (g) review the status of the Municipal Emergency Management Program and related plans and programs at least once each year.

6. Council may

- (a) by By-law borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
- (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid agreements and/or regional plans and programs.
- (c) on the recommendation of the Emergency Advisory Committee, appoint one or more Deputy Director(s) of Emergency Management" who shall do those things required of the Director of Emergency Management in that person's absence;

7. The Emergency Advisory Committee shall

- (a) review the Municipal Emergency Management Program and related plans on a regular basis; and
- (b) advise Council, duly assembled, on the status of the Municipal Emergency Management Program and related plans and at least once each year.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of a first name and a last name, possibly 'P. W. J.' or similar.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:

- (a) the Director of Emergency Management;
- (b) The Chief Administrative Officer;
- (c) The Fire Chief or designate;
- (d) Team Lead Picture Butte Emergency Services;
- (e) the Director of Operations;
- (f) The RCMP Sgt.
- (g) the Social Services Manager or designate;

9. The Director of the Emergency Management Agency shall

- (a) prepare and co-ordinate the Municipal Emergency Management Program and related plans for the Town of Picture Butte;
- (b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
- (c) authorize and co-ordinate all emergency services and other resources required during an emergency; or
- (d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).

10. The power to declare or renew a state of local emergency, the powers specified in Section 12 of this By-law, and the requirement specified in Section 15 of this By-law, are hereby delegated to a committee comprised of the Mayor, or in his/her absence the Deputy Mayor, and a Councillor. This committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.

A handwritten signature in black ink, appearing to be 'WJ' or similar, located in the bottom right corner of the page.

11. When a state of local emergency is declared, the persons making the declaration shall
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
  - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
  - (c) forward a copy of the declaration to the Minister forthwith.
12. Subject to Section 15, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following;
- (a) cause the Municipal Emergency Plan or any related plans or programs to be put into operation;
  - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - (c) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
  - (d) control or prohibit travel to or from any area of the Town;
  - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town;
  - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
  - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
  - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the



scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;

- (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the state of emergency;
- (j) authorize the conscription of persons needed to meet an emergency; and
- (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

13. When a state of local emergency is declared,

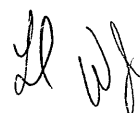
- (a) neither Council nor any member of Council, and
- (b) no person appointed by Council to carry out measures relating to emergencies or disasters,

are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

14. When, in the opinion of the local authority declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the local authority shall, by resolution, terminate the declaration.

15. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when

- (a) a resolution is passed under Section 15;
- (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- (c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
- (d) the Minister cancels the state of local emergency.



16. When a declaration of a state of local emergency has been terminated, the local authority who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

18. Bylaw No. **440/74** passed on September 9th / 1974, dealing with Disaster Services or Emergency Management is hereby rescinded.

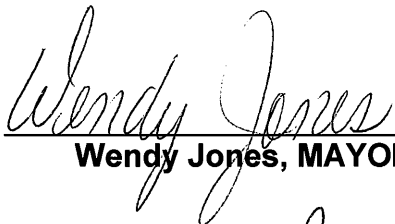
This Bylaw comes into force on the day it is finally passed.

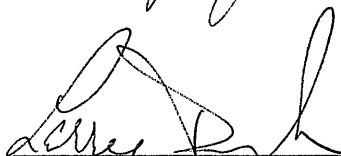
Read a first time this 25 day of May, A.D., 2015.

Read a second time this 25 day of May, A.D., 20  .

Read a third time and finally passed this 25 day of May, A.D., 2015.

**TOWN OF PICTURE BUTTE**

  
Wendy Jones, MAYOR

  
Larry Davidson, CAO



# TOWN OF PICTURE BUTTE



## LAND USE BYLAW NO. 841-15

**November 2015**

Consolidated to Bylaw No. 931-22, January 2023



Prepared by



*OLDMAN RIVER REGIONAL SERVICES COMMISSION*



**TOWN OF PICTURE BUTTE**  
**BYLAW NO. 841-15**

**BEING** a bylaw of the Town of Picture Butte, in the Province of Alberta, to adopt a updated and new Land Use Bylaw;

**WHEREAS** Section 639 of the Municipal Government Act requires the passage of a Land Use Bylaw;

**AND WHEREAS** the Council of the Town of Picture Butte wishes to adopt a new Land Use Bylaw for the purposes of:

- updating and establishing standards and processes regarding the use and development of land within the municipality as the present bylaw was originally adopted in 1998;
- incorporating new land use district uses and standards for certain types of uses within the Town, including but not limited to: Secondary Suites, Home Occupations, Manufactured Homes, Ready-to-Move Homes, Multi-unit Housing, Accessory Buildings and Structures, Shipping Containers, Day Care and Day Homes, Signage, Solar and Small Wind Energy Systems;
- expanding and clarifying when a development permit is required and what uses may be exempt;
- expanding the Administrative section of the bylaw, to provide more detail and clear regulations pertaining to processing, public notification, making decisions, and applying conditions to development permit applications;
- amending the existing Land Use District Map to reflect land use designations (zonings);
- complying with the provisions of the South Saskatchewan Regional Plan and Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

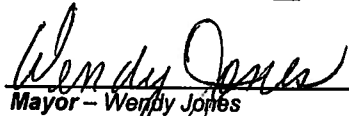
**AND WHEREAS** the land use bylaw is intended to foster orderly growth and development in the Town of Picture Butte;

**AND WHEREAS** the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

**THEREFORE** under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte duly assembled does hereby enact the following:

1. Bylaw No. 747 being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 841-15 shall come into effect upon third and final reading thereof.
3. Bylaw No. 841-15 is hereby adopted.

READ a **first** time this 13 day of October, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

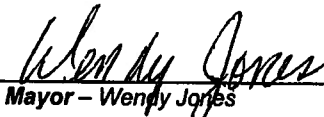
  
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Chief Administrative Officer – Larry Davidson

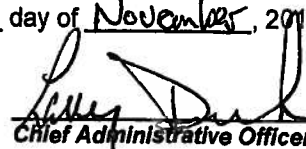
READ a **second** time this 9<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

READ a **third** time and finally passed this 9<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson



## Town of Picture Butte Land Use Bylaw No. 841-15 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
844-16	"Residential Multi-Unit – R5" to "Direct Control – DC"; Add specific standards for the Direct Control district	Block L, Plan 8774HS	14-Mar-2016
853-16	"Highway Commercial – C-2" to "Residential – R-1"	Lot 5, Block 8, Plan 7810085	26-Sep-2016
868-18	Various text amendments to regulate and clarify the regulations pertaining to extensive agriculture, the keeping of livestock and manure spreading within town limits		28-May 2018
871-18	Various text amendments pertaining to the receiving, processing and notification of development and subdivision applications;  Various text amendments regarding Cannabis Production Facilities and Retail Cannabis Stores		23-Jul-2018
882-19	"Residential Multi-Unit – R5" to "Residential – R1"	Lot 11, Block 2, Plan 169JK	13-May-2019
901-20	Various text amendments to allow for, and regulate, fascia signs with electronic display in commercial and industrial land use districts, expand the kinds of signs permitted under category Type 1 to include fascia, projecting, portable and temporary signs.		23-Nov-2020
909-21	"Residential - R1" to "Residential Multi-Unit - R5"	Lot 5, Block 8, Plan 7810085	8-Feb-2021
910-21	Delete Accessory building and structures as a discretionary use and include only as a permitted use in all land use districts without the size specifications.		8-March-2021
911-21	Remove manure application and grazing of livestock within the Urban Reserve Land Use District.		26-April-2021
918-21	"Rural Urban Fringe – RUF" to "Industrial -1"	Lot 1, Block 1, Plan 1411186	14-June-2021
931-22	Amend "Temporary shipping container" from all applicable land use districts from Discretionary Use Type B to Permitted Use. Amend Part 3 Development Not Requiring a Development Permit to add "Temporary shipping Container" with specific parameters. Amend Part 4 Standards of Development to add specific standards applicable to "Temporary shipping container".		23-Jan-2023



# TABLE OF CONTENTS

<b>PART 1</b>	<b>ADMINISTRATION</b>	Part 1   1
1.	TITLE	Part 1   1
2.	DATE OF COMMENCEMENT	Part 1   1
3.	REPEAL OF FORMER LAND USE BYLAW	Part 1   1
4.	AMENDMENTS TO THE BYLAW	Part 1   1
5.	SEVERABILITY	Part 1   2
6.	COMPLIANCE WITH THE LAND USE BYLAW	Part 1   2
7.	COMPLIANCE WITH OTHER LEGISLATION	Part 1   2
8.	RULES OF INTERPRETATION	Part 1   2
9.	DEFINITIONS	Part 1   2
10.	APPLICATION FEES	Part 1   2
11.	APPENDICES	Part 1   3
12.	METRIC MEASUREMENTS AND STANDARDS	Part 1   3
	<b>APPROVING AUTHORITIES</b>	
13.	DEVELOPMENT AUTHORITY	Part 1   3
14.	DEVELOPMENT OFFICER – POWERS AND DUTIES	Part 1   4
15.	MUNICIPAL PLANNING COMMISSION – POWERS AND DUTIES	Part 1   5
16.	SUBDIVISION AUTHORITY	Part 1   6
17.	SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)	Part 1   6
	<b>LAND USE DISTRICTS AND DEVELOPMENT IN GENERAL</b>	
18.	LAND USE DISTRICTS	Part 1   6
19.	DEVELOPMENT IN MUNICIPALITY GENERALLY	Part 1   7
20.	DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT	Part 1   7
21.	NON-CONFORMING USES AND BUILDINGS	Part 1   7
22.	NUMBER OF DWELLINGS ON A LOT	Part 1   8
23.	SUITABILITY OF SITES	Part 1   8
24.	DEVELOPMENT AGREEMENTS	Part 1   9
	<b>DEVELOPMENT PERMIT RULES AND PROCEDURES</b>	
25.	DEVELOPMENT PERMIT APPLICATIONS	Part 1   10
26.	40-DAY TIME EXTENSIONS	Part 1   10
27.	INCOMPLETE APPLICATIONS	Part 1   10
28.	PROCESSING PERMITTED USE APPLICATIONS	Part 1   11

29. PROCESSING DISCRETIONARY USE APPLICATIONS .....	Part 1   12
30. PROCESSING APPLICATIONS REQUIRING WAIVERS .....	Part 1   13
31. SIMILAR USE APPLICATIONS .....	Part 1   14
32. TEMPORARY USE APPLICATIONS .....	Part 1   14
33. NOTIFICATION FOR DEVELOPMENT APPLICATIONS .....	Part 1   15
34. CONDITIONS .....	Part 1   15
35. DEVELOPMENT PERMIT NOTIFICATION .....	Part 1   15
36. COMMENCEMENT OF DEVELOPMENT .....	Part 1   16
37. PERMIT COMMENCEMENT .....	Part 1   17
38. DEEMED REFUSAL .....	Part 1   17
39. PERMIT TRANSFERABILITY .....	Part 1   17
40. REAPPLICATION .....	Part 1   18
41. SUSPENSION OF A DEVELOPMENT PERMIT .....	Part 1   18

#### ENFORCEMENT PROCESS

42. NOTICE OF VIOLATION .....	Part 1   18
43. STOP ORDERS .....	Part 1   19
44. ENFORCEMENT OF STOP ORDERS .....	Part 1   19
45. PENALTIES AND RIGHT OF ENTRY .....	Part 1   19
46. DEVELOPMENT APPEALS .....	Part 1   20
47. REFERRALS TO LETHBRIDGE COUNTY .....	Part 1   20
48. DEVELOPMENT COMMENCEMENT AND COMPLETION NOTIFICATION .....	Part 1   20
49. CONTRAVENTION OF BYLAW .....	Part 1   20

#### LAND USE BYLAW AMENDMENTS

50. AMENDMENTS TO THE LAND USE BYLAW .....	Part 1   20
51. LAND USE REDESIGNATION APPLICATION REQUIREMENTS .....	Part 1   21
52. REDESIGNATION CRITERIA .....	Part 1   22

#### SUBDIVISION APPLICATION RULES AND PROCEDURES

53. SUBDIVISION APPLICATIONS .....	Part 1   22
54. INCOMPLETE SUBDIVISION APPLICATIONS .....	Part 1   23

<b>PART 2</b> LAND USE DISTRICTS, MAP AND REGULATIONS .....	Part 2   1
RESIDENTIAL – R1 .....	Part 2 (R1)   1
MANUFACTURED HOME – R2 .....	Part 2 (R2)   1
LARGE LOT RESIDENTIAL – R3 .....	Part 2 (R3)   1
RESIDENTIAL SMALL LOT – R4 .....	Part 2 (R4)   1
RESIDENTIAL MULTI-UNIT – R5 .....	Part2 (R5)   1

RETAIL COMMERCIAL – C1 .....	Part 2 (C1)   1
HIGHWAY COMMERCIAL – C2 .....	Part 2 (C2)   1
INDUSTRIAL – I .....	Part 2 (I)   1
PUBLIC – P .....	Part 2 (P)   1
URBAN RESERVE – UR .....	Part 2 (UR)   1
DIRECT CONTROL – DC .....	Part 2 (DC)   1
<b>PART 3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT .....</b>	<b>Part 3   1</b>
<b>PART 4 STANDARDS OF DEVELOPMENT .....</b>	<b>Part 4   1</b>
<b>A. GENERAL USE PROVISIONS .....</b>	<b>Part 4   1</b>
1. QUALITY OF DEVELOPMENT .....	Part 4   1
2. DESIGN, CHARACTER AND APPEARANCE .....	Part 4   1
3. DEVELOPMENT ON NON-CONFORMING SIZED LOTS .....	Part 4   2
4. STREET CORNER VISIBILITY .....	Part 4   2
5. RETAINING WALLS, GRADING AND DRAINAGE .....	Part 4   3
6. MULTIPLE FRONT YARD PROVISION .....	Part 4   3
7. REFUSE COLLECTION AND STORAGE .....	Part 4   3
8. DRIVEWAYS .....	Part 4   4
9. FENCES .....	Part 4   4
10. BUILDING SETBACKS .....	Part 4   5
11. LANDSCAPING STANDARDS AND SCREENING .....	Part 4   5
12. ACCESSORY USE – AIR CONDITIONERS .....	Part 4   7
13. SERVICING .....	Part 4   7
14. HAZARDOUS CHEMICAL STORAGE .....	Part 4   8
15. OUTDOOR FUEL STORAGE .....	Part 4   8
16. EASEMENTS .....	Part 4   8
17. CONSTRUCTION HOARDING .....	Part 4   8
18. SITE LIGHTING .....	Part 4   8
19. COMMERCIAL AND INDUSTRIAL USE STANDARDS .....	Part 4   8
20. PARKING AND LOADING AREA REQUIREMENTS .....	Part 4   9
21. ARCHITECTURAL CONTROLS .....	Part 4   13
22. SITE PLANS .....	Part 4   13
23. HAZARD LANDS .....	Part 4   13
24. SETBACKS FROM ABANDONED WELLS .....	Part 4   13
<b>B. SPECIFIC USE PROVISIONS .....</b>	<b>Part 4   14</b>
25. ALTERNATIVE ENERGY SOURCES .....	Part 4   14
26. BED AND BREAKFASTS .....	Part 4   15

27. CAR AND TRUCK WASH FACILITIES .....	Part 4   15
28. DAY CARE (BOTH CHILD AND ADULT CARE FACILITIES) .....	Part 4   16
29. DAY HOME .....	Part 4   17
30. GROUP CARE OR GROUP HOME FACILITY .....	Part 4   17
31. HOME OCCUPATIONS .....	Part 4   19
32. MANUFACTURED DWELLINGS .....	Part 4   21
33. READY-TO-MOVE DWELLINGS (NEW) .....	Part 4   24
34. MOVED-IN DWELLINGS AND BUILDINGS .....	Part 4   25
35. PORTABLE GARAGES AND COVERED STORAGE STRUCTURES .....	Part 4   26
36. PRIVATE SWIMMING POOLS .....	Part 4   27
37. SATELLITE OR COMMUNICATION ANTENNAS/DISH OF GREATER THAN 0.9 METRE (3 FT.) IN DIAMETER .....	Part 4   28
38. SECONDARY SUITES .....	Part 4   28
39. SERVICE STATIONS AND GAS BARS .....	Part 4   28
40. SHIPPING CONTAINERS (OR C-CONTAINERS, SEA-CONTAINERS) .....	Part 4   30
41. SOLAR COLLECTOR .....	Part 4   32
42. SMALL WIND ENERGY SYSTEMS .....	Part 4   32
43. TELECOMMUNICATION ANTENNA SITING PROTOCOLS .....	Part 4   35
44. CANNABIS PRODUCTION FACILITY .....	Part 4   35
45. RETAIL CANNABIS STORE .....	Part 4   36

<b>PART 5 SIGN REGULATIONS .....</b>	<b>Part 5   1</b>
1. ADMINISTRATION .....	Part 5   1
2. SIGNS NOT REQUIRING A PERMIT .....	Part 5   1
3. PROHIBITED SIGNS .....	Part 5   2
4. APPLICATION REQUIREMENTS .....	Part 5   3
5. GENERAL STANDARDS FOR SIGNS .....	Part 5   4
6. PORTABLE SIGNS .....	Part 5   5
7. OFF-PREMISES SIGNS .....	Part 5   5
8. TEMPORARY SIGNS .....	Part 5   5
9. PROJECTING SIGNS (CANOPY, ROOF, PROJECTING, SHINGLE, OVERHANGING).....	Part 5   6
10. MULTI-TENANT SIGNS .....	Part 5   7
11. DIRECTIONAL AND INFORMATIONAL SIGNS .....	Part 5   8
12. WINDOW SIGNS .....	Part 5   8
13. FREESTANDING SIGNS .....	Part 5   8
14. FASCIA .....	Part 5   9
15. ELECTRONIC DISPLAY SIGNS .....	Part 5   10



16. BALLOON SIGNS .....	Part 5   11
17. OTHER SIGNS .....	Part 5   11
18. SIGN DEFINITIONS .....	Part 5   11
<b>PART 6    DEFINITIONS .....</b>	<b>Part 6   1</b>
<b>Appendix A    Fees</b>	
<b>Appendix B    Forms and Applications</b>	
RESIDENTIAL DEVELOPMENT PERMIT APPLICATION	
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION	
HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION	
SIGN DEVELOPMENT PERMIT APPLICATION	
DEMOLITION PERMIT APPLICATION	
APPLICATION FOR A LAND USE BYLAW AMENDMENT	
TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST	
<b>Appendix C    Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol</b>	
<b>Appendix D    Planning Bylaws</b>	
SUBDIVISION AUTHORITY BYLAW NO. 724/95	
DEVELOPMENT AUTHORITY BYLAW NO. 725/95	
SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 726/95	



## PART 1

### ADMINISTRATION



# TOWN OF PICTURE BUTTE

## LAND USE BYLAW NO. 841-15

BYLAW NO. 841-15 OF THE TOWN OF PICTURE BUTTE IS FOR THE PURPOSE OF ADOPTING THE LAND USE BYLAW IN ACCORDANCE WITH THE *MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED (MGA)*.

WHEREAS the Council of the Town of Picture Butte intends to foster orderly growth and development within the town; and

WHEREAS the *Municipal Government Act* allows municipalities to implement land use controls through a Land Use Bylaw;

NOW THEREFORE the Council of the Town of Picture Butte hereby enacts the following:

### PART 1

## ADMINISTRATION

---

#### 1. TITLE

This Bylaw may be cited as the Town of Picture Butte Land Use Bylaw No. 841-15.

#### 2. DATE OF COMMENCEMENT

This Bylaw shall come into effect upon third and final reading thereof.

#### 3. REPEAL OF FORMER LAND USE BYLAW

Bylaw No. 747 as amended, being the current Land Use Bylaw of the Town of Picture Butte, is repealed upon third and final reading of this Bylaw.

#### 4. AMENDMENTS TO THE BYLAW

- (1) The Council may amend this Bylaw at any time in accordance with the procedures detailed in section 692 of the *Municipal Government Act (MGA)*.
- (2) The public may make application to Council to amend this Bylaw in accordance with the procedures outlined in [Section 50](#) of this Bylaw.

## **5. SEVERABILITY**

If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

## **6. COMPLIANCE WITH THE LAND USE BYLAW**

- (1) No development, other than those designated in [Part 3](#), of this Bylaw (Development Not Requiring a Development Permit), shall be undertaken within the Town unless a development application has been approved and a development permit has been issued.
- (2) Notwithstanding [Section 6\(1\)](#), while a development permit may not be required pursuant to [Part 3](#), development shall comply with all regulations of this Bylaw.

## **7. COMPLIANCE WITH OTHER LEGISLATION**

Compliance with the requirements of this Bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

## **8. RULES OF INTERPRETATION**

- (1) Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Interpretation Act, Chapter I-8, RSA 2000 as amended*, shall be used in the interpretation of this Bylaw. Words have the same meaning whether they are capitalized or not.
- (2) The written regulations of this Bylaw take precedence over any graphic or diagram if there is a perceived conflict.
- (3) The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.

## **9. DEFINITIONS**

See [Part 6](#) – Definitions.

## **10. APPLICATION FEES**

- (1) Application fees are prescribed by Council under a separate bylaw. Refer to [Appendix A](#).
- (2) Refund or adjustment of prescribed fees requires the approval of Council.
- (3) Whenever an application is received for a development or use not listed in [Appendix A](#), the amount of the fee shall be determined by the Development Officer or the Municipal Planning Commission and shall be consistent with those fees listed in the Fee Schedule.

## **11. APPENDICES**

Appendices A through D attached hereto are for information purposes only and do not form part of this Bylaw.

## **12. METRIC MEASUREMENTS AND STANDARDS**

The metric standards in this Bylaw are applicable. Imperial standards are provided only for convenience.

## **APPROVING AUTHORITIES**

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### **13. DEVELOPMENT AUTHORITY**

- (1) The Development Authority is established by separate bylaw pursuant to section 624 the *MGA* and for the purposes of the Town of Picture Butte Land Use Bylaw, is the Development Officer and the Municipal Planning Commission.
- (2) Council shall decide upon development applications within any Direct Control district, unless specifically delegated by bylaw to the Municipal Planning Commission or the Development Officer, or another designate(s).
- (3) In accordance with section 210 of the *MGA* and for the purpose of this Bylaw the Development Officer is the Designated Officer.
- (4) In the absence of the designated Development Officer, the following are authorized to act in the capacity of Development Officer:
  - (a) Municipal Planning Commission,
  - (b) Chief Administrative Officer,
  - (c) Chief Administrative Officer designate, or
  - (d) a designate(s) in accordance with the *MGA*.
- (5) The Development Officer is an authorized person in accordance with section 624 of the *MGA*.
- (6) The Development Authority shall perform such powers and duties as are specified:
  - (a) in the Town of Picture Butte Development Authority or Municipal Planning Commission Bylaw,
  - (b) in this Bylaw,
  - (c) in the *Municipal Government Act*,
  - (d) where applicable, by resolution of Council.
- (7) Unless otherwise required by the context, words used to refer to the Development Authority in this Bylaw are to include both the Development Officer and the Municipal Planning Commission.

#### 14. DEVELOPMENT OFFICER – POWERS AND DUTIES

- (1) The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.
- (2) The Development Officer is responsible for:
  - (a) receiving, processing, deciding upon and referring applications for a development permit in accordance with this Bylaw and determining whether a development permit application is complete in accordance with [Section 25 of Part 1](#);
  - (b) may decide upon or refer applications to the Municipal Planning Commission in accordance with [Sections 28-32](#) of this Bylaw;
  - (c) maintaining a register of all applications together with their disposition and other relevant details;
  - (d) shall consider and decide on applications for a development permit for permitted uses that comply with this Land Use Bylaw;
  - (e) except as provided in [Sections \(2\)\(f\), \(g\) and \(h\)](#), may consider and decide on applications for a development permit for:
    - (i) permitted uses that request one limited variance of a measurable standard not to exceed 10 percent;
    - (ii) discretionary uses identified under “Discretionary Uses, Type B – Development Officer” in the applicable land use district;
    - (iii) discretionary uses identified under “Discretionary Uses, Type B – Development Officer” that request one limited variance of a measurable standard not to exceed 10 percent;
    - (iv) permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval;
    - (v) temporary uses in accordance with [Part 1, Section 32](#);
    - (vi) landscaping;
    - (vii) fences, walls or other types of enclosures; and
    - (viii) demolition;
  - (f) shall refer to the Municipal Planning Commission, with recommendations, all development permit applications for which decision making authority has not been assigned to the Development Officer;
  - (g) may refer any development application to the Municipal Planning Commission for a decision and may refer any other planning or development matter to the Municipal Planning Commission for its review, comment or advice;
  - (h) shall refer all development applications in a Direct Control District to Council for a decision, unless Council has specifically delegated approval authority to the Development Officer or the Municipal Planning Commission;



- (i) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with **Part 1, Section 35** of this Bylaw;
- (j) shall receive, review, and refer any applications to amend this Bylaw to Council;
- (k) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with this Bylaw;
- (l) may receive and consider and decide on requests for time extensions for Development Permits which the Development Officer has approved and shall refer to the Municipal Planning Commission those requests which the Municipal Planning Commission has approved;
- (m) shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Planning Commission considers necessary;
- (n) and shall perform any other powers and duties as are specified in this Bylaw, the Development Authority Bylaw, the Municipal Planning Commission Bylaw, the *MGA* or by resolution of Council.

#### **15. MUNICIPAL PLANNING COMMISSION – POWERS AND DUTIES**

- (1) The Municipal Planning Commission may exercise only such powers and duties as are specified in the *MGA*, the Development Authority and Municipal Planning Commission Bylaws, this Bylaw, or by resolution of Council.
- (2) For the purpose of section 624 of the *MGA*, the Municipal Planning Commission shall be the Subdivision and Development Authority.
- (3) The Municipal Planning Commission may perform only such powers and duties as are specified:
  - (a) the *MGA*,
  - (b) in the Town of Picture Butte Development Authority and Municipal Planning Commission Bylaws,
  - (c) in this Bylaw, or
  - (d) by resolution of Council.
- (4) The Municipal Planning Commission shall be responsible for:
  - (a) considering and deciding upon development permit applications referred to it by the Development Officer;
  - (b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;
  - (c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;
  - (d) considering and deciding upon applications for subdivision approval;
  - (e) any other powers and duties as are specified in this Bylaw, the Development Authority and Municipal Planning Commission Bylaws, the *MGA* or by resolution of Council.

- (5) The Municipal Planning Commission discretion to granting a variance or relaxation of a bylaw standard is limited to 25 percent of the requirement unless the Municipal Planning Commission determines a case of undue hardship is present and the authority and consideration for both the *MGA* and [Section 30\(4\)](#) of the bylaw has been applied.

## **16. SUBDIVISION AUTHORITY**

- (1) In accordance with this Bylaw and the Subdivision and Development Authority Bylaw, the Municipal Planning Commission shall be the Subdivision Authority for considering and deciding upon subdivision applications.
- (2) Council for the Town of Picture Butte may act as the Subdivision and Development Authority if the Municipal Planning Commission refers subdivision applications to it for a decision.
- (3) The Subdivision Authority may delegate, through the municipality's Subdivision Authority Bylaw, this Bylaw, or by resolution of Council, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:
  - (a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application;
  - (b) the Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated and conducting site inspections.

## **17. SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)**

The Subdivision and Development Appeal Board (SDAB) is established by separate bylaw pursuant section 627 of the *MGA*, and may exercise such powers and duties as are specified in this Bylaw, the *MGA* and the Subdivision and Development Appeal Board.

# **LAND USE DISTRICTS AND DEVELOPMENT IN GENERAL**

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## **18. LAND USE DISTRICTS**

- (1) The municipality is divided into those districts specified in [Part 2](#) and shown on the Land Use Districts Map.
- (2) The one or more uses of land or buildings that are:
  - (a) permitted uses in each district, with or without conditions; or
  - (b) discretionary uses in each district, with or without conditions, or both;are described in [Part 2](#).
- (3) A land use not listed as a permitted or discretionary use is prohibited.

- (4) A land use not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority.

## **19. DEVELOPMENT IN MUNICIPALITY GENERALLY**

- (1) A person who develops land or a building in the municipality shall comply with the standards of development specified in **Part 4** in addition to complying with the use or uses prescribed in **Part 2** and any conditions attached to a development permit if one is required.
- (2) A person who develops land or a building in the municipality is also responsible for ascertaining, obtaining, and complying with the requirements of any federal, provincial or other municipal legislation.

## **20. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

Development that does not require a development permit is specified in **Part 3**.

## **21. NON-CONFORMING USES AND BUILDINGS**

- (1) If a development permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
- (2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- (3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used, but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming building; or
  - (b) as the Development Officer considers necessary for the routine maintenance of the building, in accordance with the variance powers provided for in section 643(5)(c) of the *MGA*. Routine maintenance of the building may include the replacement of windows and doors, and adding attached uncovered steps or decks less than 9.3 m<sup>2</sup> (100. sq. ft.) in area.
- (6) If a non-conforming building is damaged or destroyed by more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

- (7) Questions regarding the interpretation and application of **Sections 3-6** of this Part shall, if necessary, be referred to the MPC for interpretation and a decision.
- (8) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.
- (9) Where a proposed lot contains different dimensions than those prescribed within the land use district in effect, or will result in an existing or future building not conforming with the height or setback requirements prescribed within the district in effect, it may be approved where, in the opinion of the Development Officer or Municipal Planning Commission, the noncompliance with the district regulations is:
  - (a) minor in nature;
  - (b) consistent with the general character of the area;
  - (c) does not interfere with the use, enjoyment or value of the neighbouring properties; and
  - (d) the permit issued indicates a waiver has been granted.

## **22. NUMBER OF DWELLINGS ON A LOT**

- (1) Subject to **Sections 22(2) and 22(3)**, no person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel.
- (2) The Municipal Planning Commission may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
  - (a) if a use allowing more than one dwelling unit is listed in the applicable district, such as secondary suite;
  - (b) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;
  - (c) is a manufacture home forming part of a park for manufactured home units; or
  - (d) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a land titles office under that *Act*.
- (3) The Municipal Planning Commission may, in a development permit, exempt any person or land from the operation of **Section 22(1)** if:
  - (a) the dwelling is temporary in nature,
  - (b) the permit has an expiry time,
  - (c) the dwelling will be removed at the expiry of the permit.

## **23. SUITABILITY OF SITES**

- (1) Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Officer, Subdivision Authority, or Municipal Planning Commission, as applicable, may refuse to approve a subdivision or issue a development permit if, in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

- (a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 300 metres of a provincial highway;
  - (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;
  - (c) is situated on an unstable slope;
  - (d) consists of unconsolidated material unsuitable for building;
  - (e) does not comply with the requirements of the Provincial Land Use Policies, *Alberta Land Stewardship Act*, Regional Plan, Subdivision and Development Regulation or any applicable Statutory Plans;
  - (f) is situated over an active or abandoned coal mine or oil and gas well or pipeline;
  - (g) is located within a floodplain;
  - (h) is unsafe due to contamination by previous land uses;
  - (i) does not have adequate water and sewer provisions;
  - (j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of this Land Use Bylaw;
  - (k) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.
- (2) Nothing in this section shall prevent the Development Officer, Subdivision Authority, or Municipal Planning Commission, as applicable, from approving a lot for subdivision or issuing a development permit if the relevant authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures or other mitigating measures.

## **24. DEVELOPMENT AGREEMENTS**

- (1) The Development Authority or Subdivision Authority may require as a condition of approving a subdivision or issuing a development permit that the applicant enter into a development agreement with the municipality in accordance with the *MGA*.
- (2) Where a development is proposed in any land use district which would require servicing beyond that which the municipality would normally supply, the Development Officer or Municipal Planning Commission shall recommend to Council that a development agreement, establishing the responsibilities of each of the involved parties, be entered into by the developer(s) and the municipality as a condition of approval.
- (3) The Development Authority may require the applicant to submit a type of legal financial security (e.g. money, security bond, an irrevocable letter of credit, etc.) in a form and amount acceptable to the municipality guaranteeing the terms of the development agreement will be carried out by the developer.

## DEVELOPMENT PERMIT RULES AND PROCEDURES

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### 25. DEVELOPMENT PERMIT APPLICATIONS

- (1) Except as provided in [Part 3](#), no person shall commence a development unless he has been issued a development permit in respect of the proposed development.
- (2) An application for a development permit must be made to the Development Officer by submitting:
  - (a) a completed application in [Appendix B](#);
  - (b) the fee prescribed in [Appendix A](#); and
  - (c) such other information as may be required by the Development Officer or Municipal Planning Commission including:
    - (i) a site plan indicating:
      - legal description and the location of existing and proposed development, including location and dimension of eaves, in relation to the lot boundaries;
      - dimensions clearly illustrated;
      - all property lines and easements;
    - (ii) floor plans, elevations and sections at a minimum scale of 1:200 or such other scale as required by the Development Officer or Municipal Planning Commission; and
    - (iii) studies of projected traffic volumes, utilities, landscaping, urban design, parking, environmental impact assessment, slope, soil or any other information as required by the Development Officer or Municipal Planning Commission.
- (3) An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.
- (4) The Development Officer may request a current title documenting ownership.
- (5) The Designated Officer may request a Surveyor's Sketch to verify locations of buildings or improvements.

### 26. 40-DAY TIME EXTENSIONS

For an application involving a waiver to exceed 10 percent, a discretionary use, or where an application is to be referred to the Municipal Planning Commission for a decision, the municipality may ask that the applicant, if they are in agreement, to enter into a 40-day decision Time Extension agreement as part of the application, where it is apparent that the Municipal Planning Commission may not be able to meet within the *MGA* prescribed 40-day period for a decision.

### 27. INCOMPLETE APPLICATIONS

- (1) The Development Officer or the Municipal Planning Commission may refuse to accept a development permit application where the information required by [Part 1, Section 25](#) (Development Permit Application) is incomplete or where, in its opinion, the quality of the material supplied is inadequate to properly evaluate the application.

- (2) A Development Officer shall, within 20 days after the receipt of an application in accordance with [Section 25](#) for a development permit, determine whether the application is complete.
- (3) An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
- (4) The time period referred to in [Section 27\(2\)](#) may be extended by an agreement in writing between the applicant and the Development Officer.
- (5) If the Development Officer does not make a determination referred to in [Section 27\(2\)](#) above within the time required under [Section 27\(2\) or 27\(4\)](#), the application is deemed to be complete.
- (6) If a Development Officer determines that the application is complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (7) If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by [Section 25](#). A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete.
- (8) If the Development Officer determines that the information and documents submitted under [Section 27\(7\)](#) above are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (9) If the required documents and information under [Section 27\(7\)](#) have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under [Section 27\(7\)](#), the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- (10) Despite issuance of a Notice of Completeness under [Section 27\(6\) or 27\(8\)](#), the Development Authority or Municipal Planning Commission in the course of reviewing the application may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

## **28. PROCESSING PERMITTED USE APPLICATIONS**

- (1) Upon receipt of a completed application for a development permit for a permitted use, the Development Officer may, if the application conforms with this Bylaw:
  - (a) issue a development permit with or without conditions, including the provision of a development agreement pursuant to the *MGA*; or
  - (b) refer an application to the Municipal Planning Commission for a decision.
- (2) Upon the receipt of a completed application for a development permit for a permitted use which would require a waiver, the Development Officer shall evaluate the application, and:

- (a) if a minor waiver is required, may waive the applicable standard and issue a development permit with or without conditions, provided the waiver does not exceed 10 percent of any measurable standard specified in the bylaw; or
  - (b) if the waiver required exceeds the 10 percent of any measurable standard in the bylaw, the designated officer shall refer the application to the Municipal Planning Commission for a decision.
- (3) The Development Officer or Municipal Planning Commission may place any of the following conditions on a development permit for a permitted use:
  - (a) requirement to enter into a development agreement, including requirements for oversize improvements;
  - (b) pay any applicable off-site levy or redevelopment levy;
  - (c) provide a geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, slope stability, soil analysis, flooding subsistence, erosion and sanitary sewage servicing;
  - (d) require the alteration of a structure or building size or location to ensure any setback requirements of this Land Use Bylaw or the Subdivision and Development Regulation can be met;
  - (e) any measures to ensure compliance with the requirements of this Land Use Bylaw, its standards of development, or any other statutory plan adopted by the Town of Picture Butte;
  - (f) provide easements and encroachment agreements;
  - (g) provide public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
  - (h) require repairs or reinstatement of the original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise altered by development or building operations upon the site, to the satisfaction of the Development Officer;
  - (i) to provide security to ensure the terms of the permit approval under this section are carried out (e.g. bond, letter of credit) which will be returned upon completion of the work to the satisfaction of the Town;
  - (j) stipulate time periods specifying completion of development;
  - (k) any measures to ensure compliance with applicable provincial legislation.

## **29. PROCESSING DISCRETIONARY USE APPLICATIONS**

- (1) Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer shall:
  - (a) for a Type A use – send the application to the Municipal Planning Commission for a decision;
  - (b) for a Type B use – either make a decision on the application, or refer the application to the Municipal Planning Commission for a decision.



- (2) Upon receipt of an application under [Section 29\(1\)](#), the Development Officer acting on behalf of the Municipal Planning Commission shall notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with [Section 33](#), a minimum of five days before the meeting to consider the application is held.
- (3) After consideration of any response to the notifications of persons likely to be affected, including Lethbridge County, government departments and referral agencies as applicable, and determining compatibility and suitability of the proposed use, and any other relevant matters, the Development Authority may:
  - (a) issue a development permit with or without conditions; or
  - (b) refuse to issue a development permit application, stating the reasons.
- (4) The Municipal Planning Commission, or Development Officer for Type B uses, may place any of the conditions stipulated in [Section 28\(3\)](#) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

### **30. PROCESSING APPLICATIONS REQUIRING WAIVERS**

- (1) Upon receipt of a completed application for a development permit for a development that does not comply with this Bylaw, but in respect of which the Development Officer is requested by the applicant to exercise discretion under [Section 29\(1\)\(a\)](#), the Development Officer shall send the application to the Municipal Planning Commission.
- (2) Upon receipt of an application under [Section 29\(1\)](#), and if the Municipal Planning Commission is prepared to exercise its discretion under [Section 30\(4\)](#), the Development Officer acting on behalf of the Municipal Planning Commission shall notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with [Section 33](#).
- (3) Where the Municipal Planning Commission is requested to exercise its discretion under [Section 30\(4\)](#), its discretion to granting a variance or relaxation of a bylaw standard is limited to 25 percent of the requirement unless the Municipal Planning Commission determines a case of undue hardship is present and the authority and consideration for both the *MGA* and [Section 30\(4\)](#) of the bylaw has been applied.
- (4) The Municipal Planning Commission is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Municipal Planning Commission:
  - (a) the proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use or enjoyment or value of neighbouring properties;
 and
  - (b) the proposed development conforms with the use prescribed for that land or building in [Part 2](#).

### 31. SIMILAR USE APPLICATIONS

- (1) The Municipal Planning Commission may approve a proposed development not allowed in a land use district if, in the opinion of the Municipal Planning Commission, the proposed development is similar in character and purpose to a permitted or discretionary use that is allowed in that district.
- (2) Upon referral of the application by the Development Officer, the Municipal Planning Commission shall rule whether or not the proposed use is either similar to a permitted or discretionary use in the land use district in which it is proposed, and:
  - (a) if the use is deemed similar to a permitted or discretionary use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use and a development permit may be issued with or without conditions after consideration of any responses to the notifications of persons likely to be affected by the development;
  - (b) if the use is not deemed similar to a permitted or discretionary use in the land use district in which it is proposed, the development permit shall be refused.

### 32. TEMPORARY USE APPLICATIONS

- (1) The Development Officer or Municipal Planning Commission for a permitted, discretionary, or similar use, may issue a temporary development permit for a period not to exceed one year for uses that are:
  - (a) determined to be temporary in nature; or
  - (b) for uses that may have impacts to adjacent land uses whereby a permit for a temporary period of time may have merit to ensure the development does not negatively impact the surrounding land uses.
  - (c) If another part or section of the bylaw stipulates a specific maximum time period for a use different than the one year, then that period shall apply.
- (2) Temporary use applications shall be subject to the following conditions:
  - (a) it shall be a condition of every temporary development permit that the Town of Picture Butte shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period and the applicant or developer is responsible for any costs involved in the removal of any development at the expiration of the permitted period;
  - (b) the Development Authority may require the applicant to submit a security bond or irrevocable letter of credit guaranteeing the cessation or removal of the temporary use; and
  - (c) any other conditions as deemed necessary.
- (3) Permits issued under [Section 32\(1\)\(b\)](#) above may apply for a non-temporary (permanent) development permit at the expiration of the temporary permit.
- (4) Notification of persons likely to be affected, including Lethbridge County, government departments and referral agencies shall be in accordance with [Section 33](#).

### 33. NOTIFICATION FOR DEVELOPMENT APPLICATIONS

- (1) Upon receipt of an application under [Sections 28](#) (if a waiver is required), [29](#) and [30](#), the Development Officer shall notify the persons likely to be affected by the issuing of a development permit by:
  - (a) sending notice of the application to adjacent land owners; or
  - (b) placing an advertisement in the local newspaper circulating within the municipality, or and at their discretion;
  - (c) placing a notice on the property in a prominent place; orany combination of the above, at least five days prior to the meeting date of the Municipal Planning Commission.
- (2) In all cases, notification shall:
  - (a) describe the nature and location of the use;
  - (b) state the place and time where the Municipal Planning Commission will meet to consider the application, and state that written or oral submissions on the application will be received at this time.
- (3) After considering any response to the notifications to persons likely to be affected by the development, the Municipal Planning Commission may issue a development permit with or without conditions, or may refuse to issue a permit.

### 34. CONDITIONS

In addition to the conditions that the Development Officer or Municipal Planning Commission may impose on a development permit under [Part 4](#), the Development Officer and the Municipal Planning Commission may impose such conditions for permitted or discretionary uses, respectively, as is considered necessary to ensure that this Bylaw and the municipal development plan are complied with.

### 35. DEVELOPMENT PERMIT NOTIFICATION

- (1) A decision of the Development Authority on an application for a development permit must be issued in writing in accordance with [Section 35\(3\)](#) below.
- (2) Upon the approval of the application and the issue of a development permit, the Development Authority shall immediately notify or cause to be notified, any persons likely to be affected or who have the right to appeal the decision of the Development Authority in accordance with the procedure in [Section 46](#). The following notification processes shall be used:

#### Permitted Use Permits

- (3) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Development Authority shall:
  - (a) send to the applicant a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision; and

- (b) notify the public by either:
  - (i) posting a copy of the decision in a prominent place in the Town Office for at least 14 days, or
  - (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
  - (iii) any combination of the above.

#### **All Other Permits**

- (4) Upon the issue or refusal of a development permit for a use under [Section 28, 29](#) (discretionary use), [30](#) (if a waiver is required), [31](#) (similar use) and [32](#) (temporary uses), the Development Officer shall immediately:
  - (a) send a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision to the applicant; and
  - (b) notify all persons likely to be affected by the development by either:
    - (i) mailing a copy of the decision to those persons, departments and agencies, or
    - (ii) place an advertisement in the local newspaper circulating within the municipality, and/or at his discretion,
    - (iii) place a notice on the property in a prominent place; or
    - (iv) any combination of the above.

#### **Issuance of Decision and Timeframes**

- (5) Upon issuance of a decision, the Development Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the decision is made.

For the purposes of [Section 35\(5\)](#), the “date on which the decision was made” means:

- (a) the date the Development Authority signs the notice of decision or development permit; or
  - (b) the date the decision is posted in the newspaper;
- whichever occurs later.

### **36. COMMENCEMENT OF DEVELOPMENT**

- (1) Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 21 days after the date on which the decision was made to issue the permit;
  - (b) if an appeal is made, until the appeal is decided upon.

This does not apply to a development permit for a permitted use issued without conditions.

- (2) Unless a development is suspended or cancelled, a development permit remains in effect for 12 months from the date of its issue.

- (3) The validity of a development permit may be extended for up to 18 months from the date of its issue:
  - (a) by the Municipal Planning Commission for discretionary uses, or
  - (b) by the Development Officer for permitted uses.

### **37. PERMIT COMMENCEMENT**

- (1) Unless a development permit is suspended or cancelled, the application must be commenced or carried out with reasonable diligence in the opinion of the Development Officer or the Municipal Planning Commission within 12 months from the date of issuance of the permit, otherwise the permit is no longer valid.
- (2) If a development has not commenced within the time period specified in [Section 37\(1\)](#), the validity of a development permit may be extended for up to six additional months by the Development Authority.
- (3) A valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy or occupancy.
- (4) When any use has been discontinued for a period of 18 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This section does not apply to non-conforming uses which are regulated under section 643 of the *MGA*. See also [Section 21](#) - Non-conforming Buildings and Uses of this Bylaw.
- (5) The Development Officer or the Municipal Planning Commission may place conditions on a development permit approval that stipulate a timeframe for the completion of a development.

### **38. DEEMED REFUSAL**

In accordance with section 684 of the *MGA*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the Development Officer and a Time Extension Agreement has not been entered into.

### **39. PERMIT TRANSFERABILITY**

- (1) A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
- (2) When any use has been discontinued for a period of 18 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

#### 40. REAPPLICATION

- (1) If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for a development:
  - (a) on the same lot, and
  - (b) for the same or similar use,may not be accepted for at least six months after the date of refusal.
- (2) If an application was refused solely because it did not comply with this Bylaw, or was refused as an incomplete application under [Section 27](#), another application on the same lot for the same or similar use may be accepted before the time period referred to in [Section 40\(1\)](#) provided the application has been modified to comply with this Bylaw. All applicable fees shall apply.

#### 41. SUSPENSION OF A DEVELOPMENT PERMIT

- (1) If, after a development permit has been issued, the Development Officer or Municipal Planning Commission becomes aware that:
  - (a) the application for the development permit contained a serious misrepresentation; or
  - (b) facts concerning the application on the development, that were not disclosed and which should have been disclosed at the time the application was considered, have subsequently become known; or
  - (c) a development permit was issued in error;the Development Officer or Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it.
- (2) If a development permit is suspended, the applicant may appeal to the Subdivision and Development Appeal Board which may:
  - (a) reinstate the development permit; or
  - (b) cancel the development permit, if the Development Officer or Municipal Planning Commission, as the case may be, would not have issued the development permit if the facts subsequently disclosed had been known during consideration of the application.

### ENFORCEMENT PROCESS

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#### 42. NOTICE OF VIOLATION

Where the Development Officer or Municipal Planning Commission finds that a development or use of land or buildings is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or this Bylaw, the Development Officer may issue a notice of violation to the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention. Such notice shall state the following:

- (a) nature of the violation,

- (b) corrective measures required to comply, and
- (c) time period within which such corrective measures must be performed.

#### **43. STOP ORDERS**

- (1) The Development Officer or Municipal Planning Commission is authorized to issue an Order under section 645 of the *MGA* if a development, land use of a building is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or in this Bylaw.
- (2) A person who receives notice pursuant to [Section 43\(1\)](#) may appeal the order to the Subdivision and Development Appeal Board in accordance with the *MGA*.

#### **44. ENFORCEMENT OF STOP ORDERS**

- (1) Pursuant to section 646 of the *MGA*, if a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the Development Officer may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.
- (2) The Town may register a caveat under the *Land Titles Act* in respect of an order referred to in [Section 44\(1\)](#) against the certificate of title for the land that is subject of an order.
- (3) If a caveat is registered under [Section 44\(2\)](#) the Town may discharge the caveat when the order has been complied with.
- (4) If compliance with a stop order is not voluntarily effected, the Town may undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of Queen's Bench pursuant to section 554 of the *MGA*. In accordance with section 553 of the *MGA*, the expenses and costs of carrying out an order under section 646 of the *MGA* may be added to the tax roll of the parcel of land.

#### **45. PENALTIES AND RIGHT OF ENTRY**

- (1) Any person who contravenes any provision of this Bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the *Municipal Government Act* and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year or to both fine and imprisonment.
- (2) In accordance with section 542 of the *MGA*, a designated officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this Bylaw or *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:
  - (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;
  - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and
  - (c) make copies of anything related to the inspection, remedy, enforcement or action.

- (3) If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the *MGA*, the municipality under the authority of section of the *MGA* may obtain a court order.

#### **46. DEVELOPMENT APPEALS**

Any person applying for a development permit or any other person affected by any order, decision or development permit made or issued by the Development Officer or Municipal Planning Commission or any development application deemed refused in accordance with [Section 27\(9\)](#), may appeal such an order or decision or deemed refusal to the Subdivision and Development Appeal Board in accordance with the procedures described in the *MGA*.

#### **47. REFERRALS TO LETHBRIDGE COUNTY**

If a proposed development application or amendment to this Bylaw could have an effect on Lethbridge County, the Development Officer shall refer it to Lethbridge County for comment.

#### **48. DEVELOPMENT COMMENCEMENT AND COMPLETION NOTIFICATION**

The person to whom a development permit has been issued shall notify the Development Officer:

- (a) following the preliminary layout of the site, but prior to the commencement of actual development thereon; and
- (b) upon completion of the development.

#### **49. CONTRAVENTION OF BYLAW**

Every person who contravenes any provision of this Bylaw is guilty of an offense in accordance with Division 5, Offences and Penalties, of the *MGA*.

### **LAND USE BYLAW AMENDMENTS**

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#### **50. AMENDMENTS TO THE LAND USE BYLAW**

- (1) Any person may initiate amendments to this Bylaw regarding textual amendments or land use redesignations by making an application to the Development Officer.
- (2) All applications for amendment shall be submitted using the applicable form and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application, and any applicable fee paid to the municipality as required.
- (3) The Development Officer may refuse to accept an application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- (4) The Development Officer shall forward the application to Council for a decision if he/she is satisfied sufficient information has been provided with the application.
- (5) Council or the Development Officer may refer the application to the Municipal Planning Commission for their recommendation prior to the application being considered by Council.



- (6) The application shall be processed in compliance with the requirements of the *MGA*, including the processes for notice of public hearings and the conduct of meetings.
- (7) Where an application for an amendment to this Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least six months after the date of refusal.
- (8) Council, at its discretion, may accept another application in respect of **Section 50(7)** above within six months, if the resubmitted application is to address revisions, requirements or instructions of Council regarding the proposal, and Council is satisfied its instructions have been adhered to.

## **51. LAND USE REDESIGNATION APPLICATION REQUIREMENTS**

- (1) A request for redesignation from one land use district to another shall be accompanied by:
  - (a) a completed application form and fee;
  - (b) a narrative describing the:
    - (i) proposed designation and future use(s);
    - (ii) consistency with applicable statutory plans;
    - (iii) compatibility of the proposal with surrounding uses and zoning;
    - (iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
    - (v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
    - (vi) any potential impacts on public roads.

The applicant may also be requested to provide the following in support of a redesignation application:

- (c) conceptual subdivision design, if applicable;
  - (d) a geotechnical report prepared by an engineer demonstrating soil stability/suitability if deemed necessary;
  - (e) an evaluation of surface drainage which may include adjacent properties if deemed necessary; and
  - (f) any other information deemed necessary by the Designated Officer or Council to properly evaluate the application.
- (2) An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application when:
  - (a) redesignating land to another district,
  - (b) multiple parcels of land are involved,
  - (c) more than four lots could be created,

- (d) several pieces of fragmented land are adjacent to the proposal,
- (e) internal public roads would be required,
- (f) municipal services would need to be extended, or
- (g) required by Council or the Development Authority.

## **52. REDESIGNATION CRITERIA**

When redesignating land from one land use district to another, Council should consider the following when making a decision:

- (a) compliance with applicable standards and provisions of the Land Use Bylaw;
- (b) consistency with any adopted statutory plans;
- (c) compatibility with adjacent uses;
- (d) development potential/suitability of the site;
- (e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.), to serve the subject property and any potential impacts to levels of service to existing development;
- (f) potential impacts on public roads;
- (g) setback distances contained in the Subdivision and Development Regulation;
- (h) supply of suitably designated land;
- (i) public comment and any applicable review agency comments; and
- (j) any other matters deemed pertinent.

# **SUBDIVISION APPLICATION RULES AND PROCEDURES**

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## **53. SUBDIVISION APPLICATIONS**

- (1) An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:
  - (a) an official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;
  - (b) the applicable fees paid;
  - (c) an up-to-date and current copy of the Certificate of Title to the subject land;
  - (d) a (clear and legible) diagram, surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;
  - (e) provincial abandoned gas well information;

- (f) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use;
  - (g) the consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the *MGA* must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.
- (2) In accordance with the *MGA*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:
- (a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter;
  - (b) for an application determined to be incomplete, written notification shall be given to the applicant (Notice of Incompleteness) which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority;
  - (c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.
- (3) Notwithstanding [Section 53\(2\)](#), the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.
- (4) A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

#### **54. INCOMPLETE SUBDIVISION APPLICATIONS**

- (1) The Subdivision Authority may refuse to accept and process a subdivision application where the information required under [Section 53\(1\)](#) and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

- (2) If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in [Section 53\(2\)\(b\)](#).
- (3) The notification provided for in [Section 54\(2\)](#) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

## PART 2

### **LAND USE DISTRICTS, MAP AND REGULATIONS**



## PART 2

### LAND USE DISTRICTS, MAP AND REGULATIONS

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1. The municipality is divided into those districts shown on the Land Use District Map of this Part.
2. Each district shown on the map referred to in [Section 1](#) above shall be known by the following identifying names and symbols:

RESIDENTIAL	– R1
MANUFACTURED HOME	– R2
LARGE LOT RESIDENTIAL	– R3
RESIDENTIAL SMALL LOT	– R4
RESIDENTIAL MULTI-UNIT	– R5
RETAIL COMMERCIAL	– C1
HIGHWAY COMMERCIAL	– C2
INDUSTRIAL	– I
PUBLIC	– P
URBAN RESERVE	– UR
DIRECT CONTROL	– DC

3. Land Use District Map and Regulations (following this page)





# RESIDENTIAL – R1

**INTENT:** To accommodate a variety of types of residential development on serviced lots in an orderly, economical and attractive manner, while excluding potentially incompatible land use.

## 1. PERMITTED USES

Accessory buildings and structures  
 Day homes (see [Part 4](#))  
 Home occupations A (see [Part 4](#))  
 Signs Type 1 (in accordance with [Part 5](#))  
 Single-detached dwellings:  
     – Site built  
     – Manufactured home 1  
     – Ready-to-move dwellings (new)  
 Solar collectors, individual (see [Part 4](#))  
 Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

## PROHIBITED USES

Shipping containers  
 ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

## DISCRETIONARY USES

### TYPE A

Accessory uses  
 Bed and breakfast (see [Part 4](#))  
 Day care facilities (see [Part 4](#))  
 Home occupations B (see [Part 4](#))  
 Lodging or boarding houses  
 Moved-in dwellings and buildings  
 Parks, playgrounds and open spaces  
 Portable garages (fabric buildings) and storage structures (see [Part 4](#))  
 Public and private utilities  
 Secondary suites (contained within single-detached dwelling)  
 Secondary suites (detached garage)  
 Semi-detached dwellings – all types  
 Small wind energy system – Type A (see [Part 4, Section 42](#))

### TYPE B – Development Officer

Accessory buildings and structures, portable garages (see [Part 4](#))  
 Temporary uses

## 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single-detached dwelling	15.2	50	30.5	100	464.5	5,000
Semi-detached dwelling	15.2	50	30.5	100	464.5	5,000
Multi-unit dwelling	22.9	75	30.5	100	603.9	6,500
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-detached or semi-detached dwelling	6.1	20	1.5	5	7.6	25
Multi-unit dwelling	7.6	25	1.5	5	7.6	25

Row dwelling	6.1	20	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

#### 4. SIDE AND REAR YARD STANDARDS

##### (1) Accessory Buildings

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
  - (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side lot line, to no less than 1.2 metres (4 ft.), and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
  - (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
  - (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
  - (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
  - (7) Temporary shipping containers must be sited on the lot to meet the required accessory structure setbacks.

**(8) Projections Over Yards**

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) wheel chair ramps;
- (e) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (f) unenclosed decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

**5. MAXIMUM SITE COVERAGE**

Principal and accessory buildings – 35%  
Accessory buildings – 10%

**6. MINIMUM FLOOR AREA**

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)  
Semi-detached dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per unit  
Multi-unit dwellings – 55.7 m<sup>2</sup> (600 sq. ft.) per unit  
All other uses – As required by the Municipal Planning Commission

**7. MAXIMUM BUILDING HEIGHT**

Principal buildings – 10.1 m (33 ft.)  
Accessory buildings – 4.6 m (15 ft.)

**8. ACCESSORY BUILDINGS AND STRUCTURES**

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.
- (3) The Development Authority may limit the number of accessory buildings on a lot.



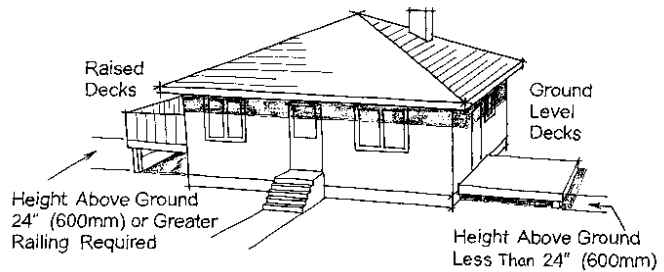
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements** – see [Section 4](#) above.
- (7) A detached garage with an approved secondary suite is allowed to a maximum height of 7.5 m (24.6 ft.).

## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, may be required and used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.

(c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.

(d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be attached to a dwelling.



(e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.

(h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## 10. HIGHER DENSITY RESIDENTIAL

When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:

- (a) compatibility with the general height, building design and nature of existing houses;
- (b) adequate off-street parking;
- (c) suitable landscaping and on-site amenities such as playground equipment, etc.;
- (d) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
- (e) ability of the site to provide for some outdoor amenity space for residents;
- (f) the ability of municipal utilities to accommodate the proposed density of development; and
- (g) possible impact on future land uses and the street system.

## 11. GENERAL SECONDARY SUITE STANDARDS

These standards shall apply to all secondary suites (detached garage, contained within single-detached dwelling) unless otherwise noted. The general land use provisions for the district shall also apply unless otherwise noted.

- (1) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being constructed within or in conjunction with a duplex, semi-detached dwelling, multi-attached dwelling or apartment housing.
- (2) A maximum of one secondary suite is permitted on any single-detached dwelling lot in the R-1 district.
- (3) A secondary suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (4) The Development Authority may limit the number of bedrooms in a secondary suite but in no case shall the number of bedrooms exceed three.
- (5) One on-site parking space shall be provided for each secondary suite with less than three bedrooms. Secondary suites with three bedrooms shall provide two on-site parking spaces. These requirements are in addition to the parking requirements for the principal dwelling.
- (6) All secondary suites developed after December 31, 2006, shall comply with all Alberta Building Code requirements, including separate heating/ventilation systems for each dwelling unit. Pre-existing suites developed prior to December 31, 2006, must meet the requirements of the Alberta Fire Code.
- (7) Accessory structures shall not be used as a dwelling unless it is an approved additional secondary suite unit.
- (8) An outdoor private amenity space not less than 7.5 m<sup>2</sup> (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), must be provided in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the principal dwelling, the secondary suite and adjacent dwellings is preserved.
- (9) The Development Authority may require that landscaping be required as a condition of development permit if it shall serve to provide privacy between the principal dwelling, the secondary suite and adjacent dwellings, or to enhance the quality of the proposed development.
- (10) A secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (11) A secondary suite shall have utility connections through the principal single-detached dwelling. The Development Authority may refuse an application for a secondary suite if it is evident that there is not capacity for the utility demands resulting from a secondary suite.

## **12. SECONDARY SUITES (DETACHED GARAGE) STANDARDS**

- (1) For a suite above a detached garage, the maximum height to roof peak of the garage shall be 7.5 metres (24.6 ft.).
- (2) A secondary suite (detached garage) shall have an entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure.

- (3) In no instance shall two separate accessory buildings be developed on a single site where one is a detached garage and the other contains a secondary suite above another detached garage.
- (4) A secondary suite (detached garage) shall only be permitted on lots with lanes.
- (5) A secondary suite shall not be located within a garage unless a single-detached dwelling is already erected on the site.
- (6) A secondary suite (detached garage) shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed 72.8 m<sup>2</sup> (784 sq. ft.), and have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.). Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (7) The maximum lot coverage of a secondary suite (detached garage) shall be limited to the area as stipulated for an accessory building for the applicable land use district.
- (8) A secondary suite in conjunction with a detached garage shall be located a minimum of 3.05 metres (10 ft.) from the principal dwelling unit and 1.5 metres (5 ft.) from a side or rear property line.
- (9) A secondary suite (detached garage) shall be located on the upper floor of the garage and the main (grade) floor shall be restricted for garage/accessory use. The building must be utilized as a functional garage/accessory building for purposes incidental to the single unit dwelling with a functional overhead garage door installed and cannot be used for additional living space.
- (10) A secondary suite (detached garage) may only be approved if it is verified that it can be constructed on a foundation of strip footings and concrete walls, concrete piers set below frost level, or other suitable foundation in accordance with the Alberta Building Code.

### **13. SECONDARY SUITES (CONTAINED WITH A SINGLE-DETACHED DWELLING) STANDARDS**

- (1) A secondary suite (contained within a single-detached dwelling) shall be developed in a manner that the exterior of the principal dwelling shall appear as a single-detached dwelling.
- (2) A secondary suite (contained with a single-detached dwelling) shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed the floor area of the principal dwelling and shall have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.).
- (3) A secondary suite (contained with a single-detached dwelling) shall have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or from the exterior of the structure.
- (4) A secondary suite (contained within a single-detached dwelling) shall not be developed within a principal dwelling containing a Home Occupation B unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited, adequate parking is provided, and amenities of the neighbourhood are not negatively affected.

### **14. STANDARDS OF DEVELOPMENT – See Part 4.**

### **15. LANDSCAPING AND SCREENING – See Part 4, Section 11.**

**16. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**17. HOME OCCUPATIONS** – See Part 4, Section 31.

**18. SIGNS** – See Part 5.



## MANUFACTURED HOME – R2

**INTENT:** To provide areas suitable for the location of comprehensively planned manufactured home communities (subdivided lots) or parks (leased plots) which provide for high quality developments that complement adjacent uses.

### 1. PERMITTED USES

Accessory buildings and structures  
Manufactured home 1  
Public utilities  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

### PROHIBITED USES

Park model trailer  
Shipping containers

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
Day homes  
Home occupations A and B  
Maintenance/utility uses  
Manufactured home additions  
Manufactured home parks (single title)  
Manufactured home 2  
– both double-wide and single-wide  
Park maintenance/storage uses  
Parks and playgrounds  
Portable garages (fabric buildings) and storage structures  
Private utilities  
Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, portable garages (see [Part 4](#))  
Temporary uses

### 2. ELIGIBLE HOMES

- (1) New factory-built manufactured homes.
- (2) Used factory-built manufactured homes, no older than 10 years, in a state of good condition or repair to the satisfaction of the Municipal Planning Commission.
- (3) Manufactured homes shall be CSA (Canadian Standards Association) certified.
- (4) Any application for a development permit to locate a used manufactured home on a manufactured home lot shall include a recent colour photographs of the manufactured home.
- (5) A Safety Codes inspection (at the expense of the applicant) of a used manufactured home proposed to be located on a manufactured home lot may be required by the Municipal Planning Commission in order to determine if such a home is suitable.

- (6) A development permit may be denied at the discretion of the Municipal Planning Commission if the Municipal Planning Commission is of the opinion that the manufactured home is in a state of poor disrepair, unsuitable, or older than 10 years of age.
- (7) If required by the Development authority, all manufactured dwellings may be required to be registered with the Provincial Personal Property Registration. The CSA model number, serial number, and Alberta Personal Property Registration number shall be provided at the time of submission of a development permit application and are required to be registered with the town.

### 3. MINIMUM LOT SIZE

#### (1) Subdivision – Freehold (Fee-simple) Title

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Manufactured homes (includes both single and double wide)	15.0	50	30.5	100	464.5	5,000
All other uses	As required by the Municipal Planning Commission					

#### (2) Leased (unsubdivided lot) Size – Leased Plots

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Manufactured homes (both)	11.0	36.1	28.0	91.9	300.0	3229.3
All other uses	As required by the Municipal Planning Commission					

### 4. MINIMUM SETBACK REQUIREMENTS

#### (1) Subdivision – Freehold/Fee-simple Lots

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1.5	5	3.0	10
All other uses	As required by the Municipal Planning Commission					

#### (2) Unsubdivided – Leased Plots

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Manufactured homes (both)	3.7	12.1	1@1.2 1@3.0	4 10	3.0	10
All other uses	As required by the Municipal Planning Commission					

## **5. SIDE AND REAR YARD STANDARDS**

### **(1) Accessory Buildings**

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than rear entry garages, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) Accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be at least 1.2 metres (4 ft.) from the principal building.
- (2) An attached carport may be permitted in a side yard but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building) or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
- (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side or rear lot line, provided that the overhanging eave shall not be less than 0.5 metre (1.6 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
- (4) Rear entry garages shall be a minimum of 1.5 metres (5 ft.) from a lane.

## **6. MAXIMUM SITE COVERAGE**

Principal building – 35%  
Accessory buildings – 10%

## **7. MINIMUM FLOOR AREA**

Single-wide manufactured homes – 65.0 m<sup>2</sup> (700 sq. ft.)  
Double-wide manufactured homes – 72.0 m<sup>2</sup> (775 sq. ft.)

## **8. MAXIMUM BUILDING HEIGHT**

Manufactured homes – 6.1 m (20 ft.)  
Accessory buildings – 4.6 m (15 ft.)

## **9. STANDARDS OF DEVELOPMENT – ALSO SEE PART 4.**

### **(1) Foundations and Basements**

- (a) All double-wide manufactured homes shall be placed on permanent concrete or concrete block foundations in conformance with the Alberta Building Code.

- (b) A basement for a manufactured home may be permitted, provided access to the basement is housed within an approved enclosure.
- (c) The maximum allowable height of the exposed portion of a concrete or block foundation shall not be more than 0.6 metre (2 ft.) above the average finished surface level of the surrounding ground.
- (d) All single-wide manufactured homes not placed on permanent foundations of concrete or concrete blocks shall be skirted to the satisfaction of the Municipal Planning Commission.

**(2) Anchoring a Manufactured Home Dwelling**

Every manufactured home dwelling shall be securely anchored in conformity with CSA standards and provincial Safety Codes.

**(3) Decks and Amenity Spaces**

- (a) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (b) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (c) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (d) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (e) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (f) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of adjacent dwellings is preserved.
- (g) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (h) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio, and to the width of the structure it is screening.

- (i) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

**(4) General Appearance**

In order to maintain the residential character of the development:

- (a) The wheels and hitches shall be removed from a mobile home within 90 days after placement of the home on its foundation.
- (b) The underside of mobile homes which are not provided with a basement, shall be within 0.6 metre (2 ft.) of the finished grade.
- (c) The front yard area of each lot shall be suitably developed and landscaped.
- (d) The foundation and skirting shall be in place within 90 days of placement.
- (e) Every entrance/exit into a manufactured home must be furnished with a landing and/or set of stairs.
- (f) Each manufactured home site shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the manufactured home and adjacent dwellings is preserved.
- (g) Any proposed addition to a manufactured home shall require a development permit. The colours and finish of any addition shall be of a quality, style and design which, in the opinion of the Development Authority, matches or complements the existing building.

**10. MANUFACTURED HOME PARK DESIGN CRITERIA AND DEVELOPMENT STANDARDS**

**(1) General and Overall Appearance**

The manufactured home park should incorporate detailed aesthetic consideration such as:

- (a) substantial landscaping design of the entire park in general and of individual sites in particular;
- (b) treatment of communal areas both indoor and outdoor;
- (c) imaginative design of lamp standards, litter bins, street signs and things of this nature.

**(2) Integration with Adjoining Residential Uses**

The park design and subsequent placement of manufactured homes on lots should integrate well with adjoining residential development so as not to be obtrusive.

**(3) Density**

The design of the park should be such that the net site density of the park does not exceed 20 units per ha (8 units per acre).

**(4) Open Space Requirements**

A minimum of 10 percent of the manufactured home park area should be developed for recreational and leisure use for the enjoyment of the inhabitants.

**(5) Street Layout and Streetscape**

- (a) Grouping or clustering of manufactured homes should provide a mixture of types and aesthetic variety along the streets and spatial relationships between the manufactured homes.
- (b) Street furniture such as light standards, signs, telephone booths, litter bins, etc., should, where possible, be of a high quality in design and harmoniously incorporated into the total streetscape.
- (c) Angled lots (60 percent) to the road are preferable to allow for easier transport and siting of homes on lots.
- (d) The required minimum road width for a manufactured home park, if the road is part of a private condominium plan, must be not less than 9 metres (30 ft.). If the road is part of a municipal public road within an approved manufactured home park, the required minimum road right-of-way width must be not less than 18 metres (59 ft.).

**(6) Plots**

All plots lines shall be permanently established by survey or other appropriate evidence provided by an Alberta Land Surveyor, Professional Engineer or agent thereof for the purpose of ensuring minimum setbacks are adhered to on an ongoing basis.

**(7) Open Space, Recreational Area and Buffer Strip Standards**

**(a) Landscaping Standards**

- (i) A substantial number of mature trees and a good variety of shrubbery should be utilized in the landscaping of the park to provide both a park-like atmosphere and proper screening.
- (ii) Where a public roadway runs adjacent to the boundary of a manufactured home community without intervening manufactured home sites, a minimum 3.0 metres landscaped strip, to the satisfaction of the Development Authority, shall be provided between the public roadway and the manufactured home community boundary.
- (iii) Where parks, playgrounds and other shared amenity facilities are provided in a manufactured home community they shall be substantially landscaped to the satisfaction of the Development Authority.

**(b) Recreation Area and Development**

The 10 percent of the manufactured home park which is dedicated to open space shall include playground equipment to accommodate children's play. This 10 percent area should also provide benches and a walkway for passive recreation.

**(8) Servicing Requirements**

- (a) A qualified engineer should be engaged at the expense of the developer to consult with the Town of Picture Butte, and utility companies to arrive at a design for all interior servicing,

including roads, drainage, sewer, water, natural gas, telephone, electrical and fire protection.

- (b) All on-site servicing should be built to the standards and requirements of the Town of Picture Butte, TransAlta, and private utility providers, which may include ATCO Gas, Shaw and Telus.
- (c) Utility easements as may be required shall be provided within the site and reasonable access to these easements shall be granted to the Town of Picture Butte, and utility companies for the installation and maintenance of services.

**(9) Garbage Enclosures**

Garbage enclosures shall be properly screened to the satisfaction of the MPC. Common garbage receptacle areas, if provided in the comprehensive plan, must be suitably and effectively screened to the satisfaction of the MPC.

**(10) Storage Compound**

- (a) The developer of the manufactured home community should provide and maintain in good repair within the park, an area to accommodate the storage of recreational vehicles such as motor boats, travel trailers, etc.
- (b) The size of this storage compound shall be a percentage of the total site area as determined by the MPC.
- (c) The storage compound shall be screened by fences, trees, landscape features, or a combination thereof, to the satisfaction of the MPC, and shall be maintained in good repair.

**(11) Park Maintenance/Storage Uses**

The design of the park shall include an area or accessory building for the use of park maintenance and storage uses to be constructed for the care and maintenance of the park.

**(12) Drawings to be submitted by Applicants**

**(a) Site Plan**

- (i) A scaled site plan shall be submitted showing the manufactured home park and its immediate surroundings.
- (ii) The site plan shall indicate, among other things, the mix of single-wide and double-wide manufactured dwelling lots, the lot size dimensions, street and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system.

**(b) Utility Plan**

- (i) The utility plan shall be based on the site plan.
- (ii) The utility plan shall indicate the location of all utilities necessary for the provision of the following services to the area to be developed:
  - water supply (including any proposed irrigation)
  - sanitary sewer
  - storm sewer
  - power

- natural gas
- telephone
- cablevision
- street lighting

(iii) The sizing and specifications of all utilities to be determined in consultation with the Town's Public Works Department and the respective utility companies or agencies.

(iv) In conjunction with the above [b(ii)], and in relation to the storm sewer, an engineered storm water management plan must be provided to the satisfaction of the Development Authority.

(c) **Layout Plan Showing Typical Single-detached Manufactured Home Lots**

(i) The layout plan shall indicate typical arrangement of single-detached manufactured dwellings.

(ii) The layout plan shall also indicate parking areas and landscaping of the lot.

(d) **Landscaping Plan**

A detailed landscaping plan shall illustrate the types of tree planting and ground occupy for internal buffer strips, open space and playground areas, walkways, irrigation layout, all single-detached manufactured dwelling lots, and entrances to the park.

**11. LANDSCAPING AND SCREENING** – See Part 4, Section 11.

**12. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**13. HOME OCCUPATIONS** – See Part 4, Section 31.

**14. MANUFACTURED HOME PARKS** – See Part 4.

**15. SIGNS** – See Part 5.



## LARGE LOT RESIDENTIAL – R3

**INTENT:** To ensure a high quality of development occurs on large residential lots by requiring high standards of development and restricting the types of uses that may occur.

### 1. PERMITTED USES

Accessory buildings and structures  
Signs Type 1 (in accordance with [Part 5](#))  
Single-detached dwellings:  
    – Site built  
    – Manufactured home 1  
    – Ready-to-move dwellings (new)  
Solar collectors, individual (see [Part 4](#))  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

### PROHIBITED USES

Commercial uses  
Moved-in dwellings  
Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
Bed and breakfast  
Day homes  
Greenhouses (non-commercial)  
Home occupations A  
Portable garages (fabric buildings) and storage structures  
Public and private utilities  
Satellite dishes  
Similar uses  
Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, portable garages (see [Part 4](#))  
Temporary uses

### 2. MINIMUM LOT SIZE

Minimum area – 0.4 hectares (1 acre)  
Minimum depth – 61.0 metres (200 ft.)

### 3. MINIMUM SETBACK REQUIREMENTS

As required by the Municipal Planning Commission or Development Officer but not less than 1.2 metres (4 ft.), or as outlined in [Section 7\(6\)](#) of this district for accessory buildings and structures.

### 4. MAXIMUM SITE COVERAGE

Principal building – As required by the Development Authority  
Accessory buildings – As required by the Development Authority

## 5. MAXIMUM BUILDING HEIGHT

Principal buildings – 10.1 m (33 ft.)

Accessory buildings – 4.6 m (15 ft.)

## 6. MINIMUM FLOOR AREA

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)

All other uses – As required by the Municipal Planning Commission

## 7. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

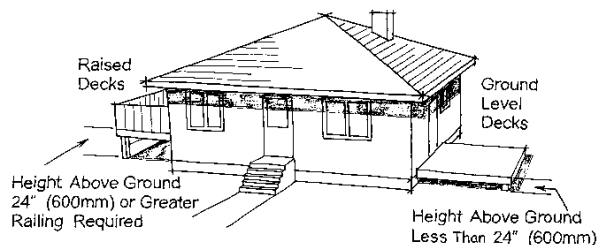
- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.
- (3) The Development Authority may limit the number of accessory buildings on a lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements**
  - (a) Accessory buildings and structures shall not be less than 1.5 metres (5 ft.) from a side lot line or rear lot line, except in circumstances as described in [Section \(6\)\(b\)](#).
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) A carport is permitted in a side yard but shall not be less than 1.5 metres (5 ft.) from a side lot line.
  - (d) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building.
  - (e) An accessory building or structure shall not be located in the required setback from a public road or on an easement.



- (f) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.

## 8. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) **Rear Yard Setbacks** – uncovered decks may encroach into the minimum required rear yard setback a maximum distance of 3 metres (9.8 ft.).
- (8) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.



- (c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.
- (e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.
- (g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.
- (h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## **9. DESIGN STANDARDS**

All proposed developments must, in the opinion of the Municipal Planning Commission, be compatible with existing houses in terms of:

- (a) design,
- (b) materials,
- (c) colours,
- (d) fence designs and construction.

## **10. REFUSE COLLECTION AND STORAGE – See Part 4, Section 7.**

## **11. OFF-STREET PARKING REQUIREMENTS – See Part 4, Section 20.**

## **12. HOME OCCUPATIONS – See Part 4, Section 31.**

## **13. SATELLITE DISHES – See Part 4, Section 37.**

## **14. SIGNS – See Part 5.**

## RESIDENTIAL SMALL LOT – R4

**INTENT:** The purpose of this district is to provide smaller residential lots to accommodate a variety of residential housing options, but primarily for smaller starter homes.

### 1. PERMITTED USES

Accessory buildings and structures  
 Accessory buildings and uses  
 Day homes  
 Home occupations A  
 Signs Type 1 (in accordance with [Part 5](#))  
 Single-detached dwellings:  
     – Site built  
     – Manufactured home 1  
     – Ready-to-move dwellings (new)  
 Solar collectors, individual  
 Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

### PROHIBITED USES

Shipping containers  
 ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
 Day care facilities  
 Home occupations B  
 Lodging or boarding houses  
 Parks, playgrounds and open spaces  
 Portable garages (fabric buildings) and storage structures  
 Public and private utilities  
 Secondary suites (detached garage)  
 Semi-detached dwellings  
 Small wind energy system – Type A (see [Part 4, Section 42](#))  
 Similar uses

#### TYPE B – Development Officer

Accessory buildings and structures, portable garages (see [Part 4](#))  
 Temporary uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single-detached dwelling	11.0	36	30.5	100	334.4	3,600
Semi-detached dwelling	15.2	50	30.5	100	463.6	5,000
– (each side)	7.6	25	30.5	100	231.8	2,500
Multi-unit dwelling (interior)	18.3	60	30.5	100	557.4	6,000
– corner lot	22.9	75	30.5	100	696.8	7,500
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-detached or semi-detached dwelling	6.1	20	1.2	4	7.6	25
Multi-unit dwelling	6.1	20	1.2	4	7.6	25

Row dwelling	6.1	20	1.2	4	7.6	25
– street side corner lot			3.0	1.0		
All other uses	As required by the Municipal Planning Commission					

#### 4. SIDE AND REAR YARD STANDARDS

##### (1) Accessory Buildings

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.2 metres (4 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
  - (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.2 metres (4 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.2 metres (4 ft.) from the side lot line.
  - (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
  - (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
  - (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
  - (7) Any open or closed porch or veranda shall be considered part of the principal building for the purposes of calculating floor area, site coverage, and setback requirements.

#### (8) Projections Over Yards

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (e) uncovered decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

#### 5. MAXIMUM SITE COVERAGE

Principal and accessory buildings – 45%  
Accessory buildings – 10%

#### 6. MINIMUM FLOOR AREA

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)  
Semi-detached dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per unit  
Multi-unit dwellings – 55.7 m<sup>2</sup> (600 sq. ft.) per unit  
All other uses – As required by the Municipal Planning Commission

#### 7. MAXIMUM BUILDING HEIGHT

Accessory buildings – 4.6 m (15 ft.)  
Principal buildings – 10.1 m (33.0 ft.)  
Secondary suites (detached garage) – 7.5 m (24.6 ft.)

#### 8. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.

- (3) The Development Authority may limit the number of accessory buildings on a lot.



- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements** – see [Section 4](#) above.
- (7) A detached garage with an approved secondary suite is allowed to a maximum height of 7.5 m (24.6 ft.).

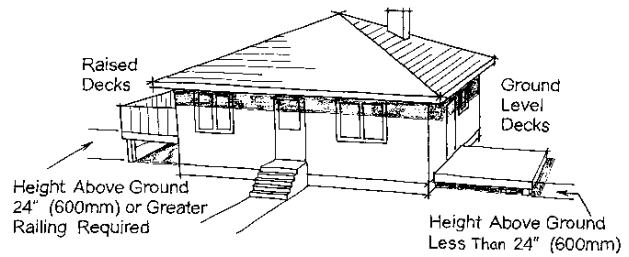
## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.



(c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.

(d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.



(e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.

(h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## 10. HIGHER DENSITY RESIDENTIAL

When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:

- (a) compatibility with the general height, building design and nature of existing houses;
- (b) adequate off-street parking;
- (c) suitable landscaping and on-site amenities such as playground equipment, etc.;
- (d) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
- (e) the ability of municipal utilities to accommodate the proposed density of development; and
- (f) possible impact on future land uses and the street system.

## 11. SECONDARY SUITES (DETACHED GARAGE) STANDARDS

The general land use provisions for the district shall apply, unless otherwise noted below.

- (1) Accessory structures shall not be used as a dwelling unless it is an approved additional secondary suite unit.

- (2) For a suite above a detached garage, the maximum height to roof peak of the garage shall be 7.5 metres (24.6 ft.), and the accessory suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure.
- (3) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being constructed within or in conjunction to a duplex, semi-detached dwelling, multi-attached dwelling or apartment housing.
- (4) A maximum of one secondary suite is permitted on any single-detached dwelling lot.
- (5) In no instance shall two separate accessory buildings be developed on a single site where one is a detached garage and the other contains a secondary suite.
- (6) A secondary suite above a detached garage shall only be permitted on lots with lanes.
- (7) A secondary suite shall not be located within a garage unless a single-detached dwelling is already erected on the site.
- (8) A secondary suite shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed 72.8 m<sup>2</sup> (784 sq. ft.), and have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.). Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (9) The maximum lot coverage of the suite with detached garage shall be limited to the area as stipulated for an accessory building for the applicable land use district.
- (10) A secondary suite in conjunction with a detached garage shall be located a minimum of 2.4 metres (8 ft.) from the principal dwelling unit. Other side and rear yard setbacks shall be as stipulated by the applicable district.
- (11) A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (12) One on-site parking space shall be provided for each secondary suite in addition to the parking requirements for the principal dwelling pursuant to the Land Use Bylaw.
- (13) A secondary suite shall comply with all Alberta Building Code requirements, including but not limited to fire wall separations, separate accesses to each dwelling unit and separate heating systems for each dwelling unit.
- (14) A secondary suite shall be located on the upper floor of the garage and the main (grade) floor shall be restricted for garage/accessory use. The building must be utilized as a functional garage with a functional garage door installed and cannot be used for additional living space.
- (15) A secondary suite (detached garage) may only be approved if it is verified that it can be constructed on a foundation of strip footings and concrete walls, concrete piers set below frost level, or other suitable foundation in accordance with the Alberta Building Code.

## **12. STANDARDS OF DEVELOPMENT – See Part 4.**

## **13. LANDSCAPING AND SCREENING – See Part 4, Section 11.**

**14. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**15. HOME OCCUPATIONS** – See Part 4, Section 31.

**16. SIGNS** – See Part 5.



## RESIDENTIAL MULTI-UNIT – R5

**INTENT:** The purpose of this district is to accommodate a variety of residential housing options by providing high-quality multi-unit dwelling environments, integrated into either existing or proposed residential neighbourhoods.

### 1. PERMITTED USES

Accessory buildings and structures  
Day homes  
Dwellings:  
– Multi-unit up to 4 units  
– Row dwelling up to 6 units  
– Semi-detached - all types  
Home occupations A  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

### PROHIBITED USES

Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
Day care facilities  
Dwellings:  
– Multi-unit more than 4 units  
– Row dwelling with more than 6 units  
Home occupations B  
Lodging or boarding houses  
Parks, playgrounds and open spaces  
Portable garages (fabric buildings) and storage structures  
Public and private utilities  
Senior Citizen Housing  
Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, portable garages (see [Part 4](#))  
Temporary uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Semi-detached						
– interior lot	15.2	50	30.5	100	464.5	5,000
– corner lot	21.3	70	30.5	100	650.7	7,000
Semi-detached (each side)						
– interior lot	7.6	25	30.5	100	232.3	2,500
– corner lot	10.6	35	30.5	100	325.3	3,500

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Multi-unit up to 4 units						
– interior lot	18.3	60	30.5	100	557.4	6,000
– corner lot	22.9	75	30.5	100	696.8	7,500
Multi-unit more than 4 units	30.5	100	30.5	100	929.0	10,000
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Semi-detached dwelling	6.1	20	1.5	5	7.6	25
Multi-unit dwelling	7.6	25	1.5	5	7.6	25
Row dwelling	7.6	25	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

**Note:** All yard dimensions are from the outside foundation wall to the property line.

### 4. SIDE AND REAR YARD STANDARDS

- (1) Accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
- (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
- (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
- (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
- (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
- (7) Any open or closed porch or verandah shall be considered part of the principal building for the purposes of calculating floor area, site coverage, and setback requirements.

**(8) Projections Over Yards**

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (e) unenclosed decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

**5. MAXIMUM SITE COVERAGE**

Principal and accessory buildings	– 50%
<i>(Principal may cover 50% with no associated accessory)</i>	
Accessory buildings	– 10%
Principal building and accessory buildings combined	– 50%

**6. MINIMUM FLOOR AREA**

Multi- unit dwellings	– 55.7 m <sup>2</sup> (600 sq. ft.) per unit
Row dwelling	– 74.3 m <sup>2</sup> (800 sq. ft.) per unit
Semi-detached dwellings	– 65.0 m <sup>2</sup> (700 sq. ft.) per unit
All other uses	– As required by the Municipal Planning Commission

**7. MAXIMUM BUILDING HEIGHT**

Accessory buildings	– 4.6 m (15 ft.)
Single-detached dwelling, semi-detached, multi-unit dwelling units	– 10.1 m (33.0 ft.)
Apartments and row house	– 11 m (36 ft.)

**8. ACCESSORY BUILDINGS AND STRUCTURES**

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.

- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.

- (3) The Development Authority may limit the number of accessory buildings on a lot.



- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements:** see [Section 4](#) above.
- (a) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (b) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.

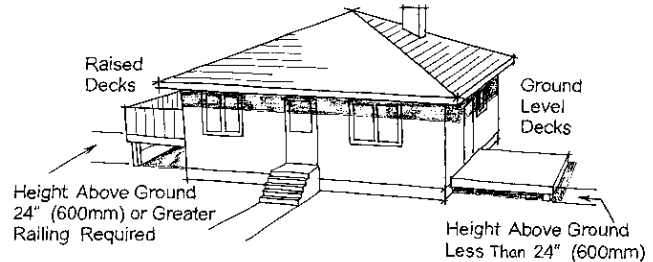
## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) **REAR YARD SETBACKS:** see [Section 4](#) above.



(7) For the purpose of applying these standards of the bylaw:

- (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
- (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.
- (c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.
- (e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.
- (g) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.



## 10. HIGHER DENSITY RESIDENTIAL

- (1) When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:
  - (a) compatibility with the general height, building design and nature of existing houses;
  - (b) the massing of the building with regards for streetscape, the parcel, setbacks, and adjacent land uses;
  - (c) adequate off-street parking;
  - (d) suitable landscaping and on-site amenities such as playground equipment, etc.;
  - (e) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
  - (f) the ability of the site to provide outdoor amenity space for residents;
  - (g) the ability of municipal utilities to accommodate the proposed density of development; and

(h) possible impact on future land uses and the street system.

(2) For-multi unit dwellings, each unit must have its own separate utility and meter service.

**11. STANDARDS OF DEVELOPMENT** – See Part 4.

**12. LANDSCAPING AND SCREENING** – See Part 4, Section 11.

**13. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**14. HOME OCCUPATIONS** – See Part 4, Section 31.

**15. SIGNS** – See Part 5.

## RETAIL COMMERCIAL – C1

**INTENT:** To provide an area suited to commercial uses that comprise a strong and unique central business district, including the redevelopment of existing sites and integrating mixed uses, which are convenient and attractive to pedestrians, while offering ready vehicular access and adequate parking.

### 1. PERMITTED USES

Accessory buildings and structures  
Amusement facility  
Business support service  
Coffee shops, restaurants  
Convenience store  
Financial institutions  
Food store/deli, bakery, grocery  
Hotels  
Medical and dental offices  
Personal services  
Professional/business offices  
Public and semi-public buildings  
Restaurants  
Retail stores  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))  
Theatres

### PROHIBITED USES

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
Animal grooming facility  
Child care facility / Day care  
Clubs and organizations  
Commercial health or fitness centres  
Farmers markets  
Funeral home  
Indoor storage in conjunction with an approved commercial use  
Laundromat  
Licensed lounges  
Liquor stores  
Outdoor storage limited, in conjunction with an approved commercial use  
Parking areas and structures  
Pawn shop  
Public and private utilities  
Recycling operations  
Residential accommodation as part of a mixed-use commercial building  
Shipping container, permanent  
Signs Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A (see [Part 4, Section 42](#))  
Taxidermy  
Veterinary clinic, small animal  
Workshop accessory to retail stores

#### TYPE B – Development Officer

Temporary uses

## 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	7.6	25	30.5	100	232.3	2,500

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	0.9	3	None required		7.6	25
	If required by the DO or MPC					

## 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 80%

## 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys

Accessory structure – 6.1 m (20 ft.)

- (1) The roofline of the principal structure shall be compatible with the surrounding structures to the satisfaction of the Development Authority.
- (2) Roof mounted mechanical units may exceed the maximum building height provided they are concealed by screening in a manner compatible with the architectural character of the building or concealed by the building roof or a parapet wall.

## 6. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (a) Accessory buildings or structures 9.3 m<sup>2</sup> (100 sq. ft.) or less in size shall be constructed such that eaves shall be not be less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (b) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall not be less than 0.9 metres (3 ft.) from a side or rear lot line.
- (c) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback (separated) a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

## 7. OUTDOOR STORAGE AND SALES

- (1) No on-site outdoor storage or sale of goods shall be permitted within this land use district unless expressly approved in a development permit.

- (2) Any approved outdoor storage shall be limited to the rear yard and must be screened or fenced to the satisfaction of the Development Authority, with consideration for [Section 7](#) of this district. Outdoor storage shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (3) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:
  - (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items sold by the business or industrial use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback or on municipal property; and
  - (c) the display areas are not located on any required and approved landscaping area.
- (4) Approved shipping containers must be located in the rear yard only and are not to be located in a front or side yard. As a condition of development permit approval, the Development Authority may require the shipping container to be screened or painted.

## **8. LANDSCAPING AND SCREENING STANDARDS**

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Development along Highway 25 may be subject to enhanced landscaping standards to ensure consistency with the Municipal Development Plan policies regarding entryways into the community.
- (5) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (6) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 m (10 ft.) landscaped buffer between the property line and the adjacent use.
- (7) All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the structure to the satisfaction of the Development Authority.

- (8) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
  - (a) vegetation (e.g. trees, shrubs, lawn, flowers);
  - (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);
  - (c) buffering (e.g. berming, terracing, paving stones);
  - (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
  - (e) innovative landscaping features, as approved by the Development Authority.
- (9) For additional standards that may apply – **See Part 4.**

#### **9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – SEE PART 4.**

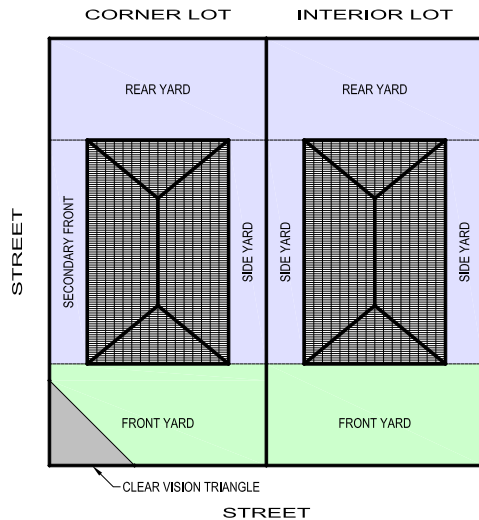
A commercial or other associated development in this district is required to meet the parking and loading area requirements outlined in **Part 4, Section 20**, which may be imposed as a condition on a development permit approval.

#### **10. STACKING SPACES FOR DRIVE-THROUGH USES**

- (1) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
  - (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window
  - (b) Gas station: 9.1 m (30 ft.) from each end on pump island
  - (c) Bank machine: 22.9 m (75 ft.) from bank machine window
  - (d) Car wash: 15.2 m (50 ft.) from car wash entrance
  - (e) Other: As determined by the Development Authority
- (2) The minimum stacking space requirements in **Section 10(1)** above may be varied by the Development Authority depending upon the intensity of the proposed development.

#### **11. FENCES**

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



#### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

### 12. STANDARDS OF DEVELOPMENT – See Part 4.

- (1) **Part 4** contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

### 13. MIXED-USE DEVELOPMENTS

- (1) Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in **Part 4** will apply.
- (2) Residential accommodation as part of a mixed-use commercial building must be in conjunction with a commercial use on the main floor, and the residential use must be by the operator of the business.

### 14. SITE PLANS

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in **Section 14(1)** above as part of the development permit application, for any proposed mixed-use parcel of land.

**15. DECKS AND AMENITY SPACES** – See Part 4.

**16. SIGNS** – See Part 5.

**17. CANOPIES** – See Part 5, Section 9.



## HIGHWAY COMMERCIAL – C2

**INTENT:** To ensure the sites adjacent to the highway are reserved for appropriate commercial uses for the benefit of the motoring public and regional commerce with an emphasis on high quality development standards.

### 1. PERMITTED USES

Accessory buildings and structures  
 Auto sales and service  
 Business Support Services  
 Coffee shops, restaurants  
 Convenience stores  
 Drive-thru restaurants  
 Hotels or Motels  
 Restaurants  
 Retail stores  
 Signs Type 1 (in accordance with [Part 5](#))  
 Solar collectors, individual (see [Part 4](#))  
 Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

### PROHIBITED USES

- ◆ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	22.9	75	38.1	125	870.9	9,375

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
 Animal grooming facility  
 Auction market (non-livestock)  
 Building supply centre  
 Bulk oil stations  
 Car washes  
 Farm machinery outlets  
 Farmer markets  
 Flea markets  
 Funeral home  
 Garden centre  
 Gas/Service stations (see [Part 4](#))  
 Liquor store  
 Parking areas and structures  
 Public and private utilities  
 Outdoor storage limited, in conjunction with an approved commercial use  
 Recreational Vehicle sales and service  
 Shipping containers, permanent (see [Part 4](#))  
 Signs Type 2 (in accordance with [Part 5](#))  
 Small wind energy system – Type A (see [Part 4, Section 42](#))  
 Tourist centres or facilities  
 Veterinary clinics, large and small animal

#### TYPE B – Development Officer

Temporary uses

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	9.1	30	6.1	20	6.1	20

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 50%

### 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys

Accessory structure – 6.1 m (20 ft.)

- (1) The roofline of the principal structure shall be compatible with the surrounding structures to the satisfaction of the Development Authority.
- (2) Roof mounted mechanical units may exceed the maximum building height provided they are concealed by screening in a manner compatible with the architectural character of the building or concealed by the building roof or a parapet wall.

### 6. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (a) Accessory buildings or structures 9.3 m<sup>2</sup> (100 sq. ft.) or less in size shall be constructed such that eaves shall be not be less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (b) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall not be less than 0.9 metres (3 ft.) from a side or rear lot line.
- (c) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback (separated) a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

### 7. OUTDOOR STORAGE AND SALES

- (1) No on-site outdoor storage or sale of goods shall be permitted within this land use district unless expressly approved in a development permit.
- (2) Any approved outdoor storage shall be limited to the rear yard and must be screened or fenced to the satisfaction of the Development Authority, with consideration for [Section 8](#) of this district. Outdoor storage shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (3) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:

- (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items sold by the business or industrial use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback or on municipal property; and
  - (c) the display areas are not located on any required and approved landscaping area.
- (4) Approved shipping containers must be located in the rear yard only and are not to be located in a front or side yard. As a condition of development permit approval, the Development Authority may require the shipping container to be screened or painted.

## **8. LANDSCAPING AND SCREENING STANDARDS**

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Development along Highways may be subject to:
  - (a) enhanced landscaping standards to ensure consistency with the Municipal Development Plan policies regarding entryways into the community; and
  - (b) specific conditions or requirements of Alberta Transportation.
- (5) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (6) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 metres (10 ft.) landscaped buffer between the property line and the adjacent use.
- (7) All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the structure to the satisfaction of the Development Authority.
- (8) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
  - (a) vegetation (e.g. trees, shrubs, lawn, flowers);
  - (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);

- (c) buffering (e.g. berming, terracing, paving stones);
  - (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
  - (e) innovative landscaping features, as approved by the Development Authority.
- (9) For additional standards that may apply – **See Part 4.**

## **9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, A. General Use Provisions**

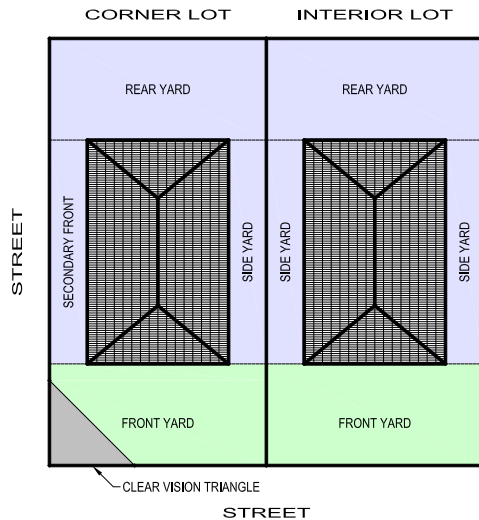
A commercial or other associated development in this district is required to meet the parking and loading area requirements outlined in **Part 4**, which may be imposed as a condition on a development permit approval.

## **10. STACKING SPACES FOR DRIVE-THROUGH USES**

- (1) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
  - (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window  
For order boxes associated with 1(a), the order box must be located a minimum of 9.1 m (30 ft.) from the boundary of a road right-of-way.
  - (b) Gas station: 9.1 m (30 ft.) from each end on pump island
  - (c) Bank machine: 22.9 m (75 ft.) from bank machine window
  - (d) Car wash: 15.2 m (50 ft.) from car wash entrance
  - (e) Other: As determined by the Development Authority
- (2) The minimum stacking space requirements in **Section 10(1)** may be varied by the Development Authority depending upon the intensity of the proposed development.

## **11. FENCES**

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



#### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

### 12. STANDARDS OF DEVELOPMENT – See Part 4.

- (1) **Part 4** contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

### 13. MIXED-USE DEVELOPMENTS

Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in **Part 4** will apply.

### 14. SITE PLANS

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in **Section 14(1)** as part of the development permit application, for any proposed mixed-use parcel of land.

### 15. STANDARDS OF DEVELOPMENT – See Part 4.

### 16. LANDSCAPING AND SCREENING – See Part 4, Section 11.

### 17. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.

**18. SIGNS** – See Part 5.

# INDUSTRIAL – I

**INTENT:** To provide for and encourage the orderly industrial development of this district in a manner compatible with other land uses.

## 1. PERMITTED USES

Accessory buildings and structures  
Building and special trade contractors  
Business support service  
Farm machinery sales and service outlets  
Grain elevators or storage  
Mini-storage  
Offices and business administration  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Taxidermy  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))  
Warehousing and indoor storage facilities  
Wholesaling

## PROHIBITED USES

Livestock sales yards  
Noxious and hazardous uses  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

## DISCRETIONARY USES

### TYPE A

Accessory uses  
Auction market (non-livestock)  
Auto body repair and paint shop  
Automobile sales and service outlets  
Building supply centre  
Bulk fuel stations  
Cannabis production facility  
Car and truck washing facilities  
Cardlock fuel station  
Food processing industries  
Garden centre  
Gas/Service stations  
Greenhouse  
Kennel  
Landscaping materials sales and service  
Lumber yard/building supplies  
Manufactured home sales and service  
Manufacturing and processing facilities, general  
Mechanical sales and service  
Moved-in building  
Non-noxious manufacturing and processing facilities  
Portable fabric buildings and storage structures  
Public and private utilities  
Recycling facility  
Seed cleaning plants  
Shipping containers (see [Part 4](#))  
Signs Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A, B and C (see [Part 4](#))  
Transportation depot  
Veterinary clinics, small and large animal  
Welding and metal fabrication  
(column continues on next page)

## DISCRETIONARY USES

### TYPE B – Development Officer

Outdoor storage  
Surveillance suite  
Temporary uses

## 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	30.5	100	30.5	100	929	10,000

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0	10 (internal)	As required by the DO or MPC	
			4.6	15 (corner)		

## 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 60%

## 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys  
Accessory structure – 7.6 m (25 ft.)

## 6. ACCESSORY BUILDINGS AND STRUCTURES

- (1) Accessory buildings or structures setbacks to the side or rear lot line shall be to the discretion of the Development Authority, with consideration for required setbacks and minimum distance separations based on the materials stored in accessory structures. In all instances the accessory building or structure setbacks shall be constructed such that eaves shall be not less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

## 7. INDUSTRIAL DEVELOPMENT STANDARDS

- (1) No use shall be approved which may generate traffic problems within the district.
- (2) Any proposed industrial development shall meet all the required and appropriate regulations of the Alberta Building Code.



- (3) On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.
- (4) Landscaping, fencing, screening and siting or setback restrictions may be imposed as a condition of a development permit, with consideration for [Section 8 and 9](#) below, and [Part 4, Section 11](#).
- (5) Where it appears that greater side yard setbacks may be necessary, the Development Authority may impose such a requirement as a condition of a development permit.
- (6) No operation or activity associated with any use in this District shall be permitted which would create a nuisance factor from noise, odour, earthborn vibrations, heat, intense light sources or dust, outside an enclosed building.
- (7) See [Part 4, A. General Use Provisions](#) for additional requirements.
- (8) See [Part 4, B. Specific Use Provisions](#).

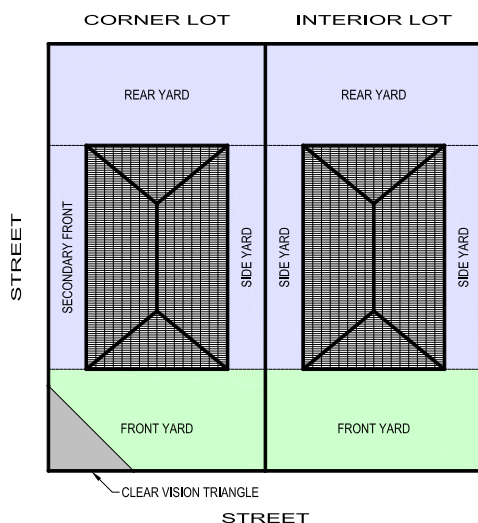
## **8. LANDSCAPING, SCREENING AND LOCATION OF STORAGE**

- (1) No outdoor storage shall be permitted in the required front yard setback of 7.6 metres (25 ft.), nor in the required corner lot side yard setback of 4.6 metres (15 ft.).
- (2) The minimum front yard setback area, or an equal percentage of the site area as required by the Municipal Planning Commission, and in the case of corner lots, the minor front yard setback area as well, shall be comprehensively landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission in accordance with the guidelines in this section and [Part 4, Section 11](#).
- (3) Other outdoor storage areas shall be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof, and shall be maintained in good repair unless exempted by the Municipal Planning Commission. For fencing see [Section 9](#) below.
- (4) Separation, or buffering, between adjacent land uses may be required, including the use of trees, shrubs, fences, walls, and berms to buffer or screen uses of negative impact.
- (5) See [Part 4, A. General Use Provisions](#) for landscaping requirements.
- (6) Outdoor storage is prohibited in the front yard. All loading, service, and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (7) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:
  - (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items manufactured or sold by the use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback; and

- (c) the display areas are not located on any required and approved landscaping area.
- (8) Refuse or garbage shall be kept in a suitably-sized container or enclosure and shall be located in a rear yard only. Refuse containers shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (9) Equipment, parts, wrecked or damaged motor vehicles which might be located or stockpiled on the property as part of an approved development must be effectively screened from all adjacent parcels and roadways in the vicinity.
- (10) The Development Authority may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Authority such projections are:
  - (a) inconsistent with the character and appearance of surrounding development or intended visual qualities of this District; or
  - (b) are required in accordance with any area structure plan policies.

## 9. FENCES

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

## **10. LOADING AREA REQUIREMENTS**

- (1) For commercial, industrial and other uses, there shall be a minimum of one off-street designated loading area, or more as required by the Development Authority. Uses such as office buildings, business support services, and professional services that do not involve the production, sales, storage or shipping of products or goods may be exempted from this requirement by the Development Authority.
- (2) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow, site access/approaches onto public roadways, or parking.
- (3) See [Part 4, General Use Provisions](#) for additional standards.

## **11. MIXED-USE DEVELOPMENTS**

Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in [Part 4](#) will apply.

## **12. SITE PLANS**

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in [Section 12\(1\)](#) as part of the development permit application, for any proposed mixed-use parcel of land.

## **13. STANDARDS OF DEVELOPMENT – See Part 4, A. General Use Provisions**

- (1) [Part 4](#) contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

## **14. STANDARDS OF DEVELOPMENT – See Part 4. B. Specific Use Provisions**

## **15. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.**

## **16. SIGNS – See Part 5.**



## PUBLIC – P

**INTENT:** To provide for institutional, public and semi-public uses which are compatible with each other and with adjoining land use districts. These will often include government, community, educational and recreational types of uses.

### 1. PERMITTED USES

Accessory buildings and structures  
Cemetery  
Government offices  
Libraries  
Parks, playgrounds, sportsfields, open spaces  
and other public recreation areas  
Places of worship  
Post offices  
Public use facilities  
Solar collectors, individual (see [Part 4](#))  
Temporary shipping container (see [Part 3](#) and  
[Part 4, Section 40](#))

### PROHIBITED USES

Shipping containers

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory uses  
Adult care facility  
Campgrounds, public  
Child care facility  
Clubs and fraternal organizations  
Commercial recreation  
Community hall or facility  
Educational facilities  
Group home  
Hospital  
Museum  
Portable garages (fabric buildings) and storage  
structures  
Private nursing home  
Private clubs and recreation facilities  
Public and private utility accessory structure  
Public and private utility structures  
Schools – Public and private  
Senior citizens' lodges  
Signs Type 1 and Type 2 (in accordance with  
[Part 5](#))  
Small wind energy system – Type A and B (see  
[Part 4](#))

#### TYPE B – Development Officer

Temporary uses

### 2. MINIMUM LOT SIZE

As required by the Development Officer or Municipal Planning Commission.

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0	10	7.6	25

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings combined – 50%

### 5. MAXIMUM BUILDING HEIGHT

Principal structure – 7.6 m (25 ft.)

Accessory structure – 6.1 m (20 ft.)

### 6. ACCESSORY BUILDINGS AND STRUCTURES

- (1) Accessory buildings or structures setbacks to the side or rear lot line shall be to the discretion of the Development Authority, with consideration for the size and use. In all instances the accessory building or structure setbacks shall be constructed such that eaves shall be not less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

### 7. LANDSCAPING

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (5) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 metres (10 ft.) landscaped buffer between the property line and the adjacent use.

(6) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:

- (a) vegetation (e.g. trees, shrubs, lawn, flowers);
- (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);
- (c) buffering (e.g. berming, terracing, paving stones);
- (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
- (e) innovative landscaping features, as approved by the Development Authority.

**8. STANDARDS OF DEVELOPMENT – See Part 4.**

**9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.**

**10. SIGNS – See Part 5.**





## URBAN RESERVE – UR

**INTENT:** To limit and manage development in areas along the community's fringe to uses which will not constrain the transition to more intensive urban development in the future. Development and fragmentation of land is to be limited in order to preserve land and enable it to be more efficiently planned for and serviced in the future. Agricultural uses may occur in the interim prior to land being planned for and developed as more intensified urban use, but such uses are limited to non-noxious, minor activities related to the cultivation of land, and crop production.

### 1. PERMITTED USES

Extensive agriculture (see definition and section 8 of this district)  
Irrigated farming  
Market gardens  
Nursery  
Temporary shipping container (see [Part 3](#) and [Part 4, Section 40](#))

#### PROHIBITED USES

Keeping of confined livestock, farm or exotic animals, including animal shelters, cattle barns or feedlots, swine barns, poultry barns, etc.  
Manure application / spreading  
Manure or compost stockpiles  
Noxious and hazardous uses  
Pasturing and grazing of livestock  
Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### 2. MINIMUM LOT SIZE

2 hectares (5 acres) – This minimum may be varied by the Municipal Planning Commission if there is provision for all-weather access and connections to all main services.

### 3. DEVELOPMENT PREREQUISITE

The Municipal Planning Commission may require that a discretionary use may only be approved when an area structure plan for the site has been adopted by Council.

### 4. MINIMUM SETBACK REQUIREMENTS

As required by the Development Officer or Municipal Planning Commission.

### DISCRETIONARY USES

#### TYPE A

Accessory buildings, structures and uses  
Campgrounds  
Playgrounds  
Portable garages (fabric buildings) and storage structures (see [Part 4](#))  
Public and private utilities  
Public parks  
Residential accommodation in conjunction with an approved agricultural use  
Signs Type 1 and Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A, B and C (see [Part 4](#))  
Sportsfields  
Veterinary clinic, small animal

#### TYPE B – Development Officer

Bed and breakfasts (see [Part 4](#))  
Day homes (see [Part 4](#))  
Temporary uses

**5. MAXIMUM SITE COVERAGE**

As required by the Development Officer or Municipal Planning Commission.

**6. EXTENSIVE AGRICULTURE AND LIVESTOCK GRAZING**

- (1) Development permits are not required for extensive agriculture uses; however, such uses are limited to non-noxious, best practice farming activities related to the cultivation of land and crop production or seasonal grazing. Allowable activities include cultivating soil, raising and producing field crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing.
- (2) The keeping of confined livestock, farm or exotic animals, manure stockpiling, composting are not permitted in this land use district.
- (3) See Definitions, Part 6, for the applicable definitions of extensive agriculture, livestock, farm animals and exotic animals.

**7. STANDARDS OF DEVELOPMENT – See Part 4.**

**8. SIGNS – See Part 5.**

## DIRECT CONTROL – DC

**INTENT:** To allow flexibility for approval of uses on suitable sites which have potential for a variety of different uses or require special development or land use restrictions. On sites designated as Direct Control, Council is willing to consider proposals that do not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

### 1. PERMITTED AND DISCRETIONARY USES

Any use Council considers suitable.

### 2. PROHIBITED USES

Any use not expressly approved by Council or a use listed as prohibited by Council.

### 3. MINIMUM LOT SIZE

As Council determines necessary having regard to [Part 2](#).

### 4. MINIMUM SETBACK REQUIREMENTS

As Council considers necessary.

### 5. STANDARDS OF DEVELOPMENT

As Council considers necessary having regard to [Part 4](#).

### 6. SIGNS

As Council considers necessary having regard to [Part 5](#).

### 7. OTHER STANDARDS

As Council requires.

### 8. APPROVAL PROCEDURE

- (1) Before Council considers an application for a use in the Direct Control district, they shall:
  - (a) cause notice to be issued by the Development Officer in accordance with [Part 1, Section 33](#);
  - (b) hear any persons who claim to be affected by a decision on the application.
- (2) Council may then approve the application with or without conditions, or refuse the application.



## DIRECT CONTROL DISTRICTS AND ADOPTING BYLAWS

- (1) Any parcel designated as Direct Control as illustrated on the Land Use Districts Map is designated for that purpose.
- (2) The following is a reference list of redesignation bylaws adopted by Town Council which designated the specified parcels of land to a Direct Control – DC land use district. This list will be updated on an ongoing basis and displays the amending bylaws to the most recent date of the Land Use Bylaw being consolidated (updated). The amending bylaws follow this section

BYLAW NO.	LEGAL DESCRIPTION	DATE OF ADOPTION
844-16	Block L, Plan 8774HS	March 14, 2016



## **PART 3**

### **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**





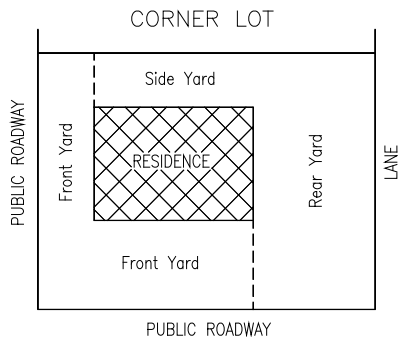
## PART 3

### DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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1. No development permit is required for any development that is specifically exempt by virtue of its inclusion in an exemption regulation.
2. No development permit is required the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled.
3. No development permit is required for the following, but they must otherwise comply with the requirements of this Bylaw:
  - (a) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations, or major works of renovation;
  - (b) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required by section 692 of the *MGA*, provided that:
    - (i) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and
    - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;and the use of any building referred to in [Sections 3\(b\)\(i\) and \(ii\) above](#) for the purpose for which construction was commenced.
  - (c) the placement of a construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed one year providing the trailer is removed upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time;
  - (d) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation;
  - (e) interior renovations to a building which do not:
    - (i) create another dwelling unit,
    - (ii) increase parking requirements,
    - (iii) result in the change of use of a building, or
    - (iv) increase the square footage (increase density);
  - (f) changing the exterior finish of a building unless it is required as a condition of an authorized development permit;

- (g) the use of a building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
- (h) the erection of gates, fences, walls, hedges or other means of enclosure which are:
  - (i) not more than 0.9 metre (3 ft.) in height in front yards and all yard spaces on corner lots lying between the dwelling and the public roadway (as illustrated in the following diagram);



- (ii) not more than 1.8 metres (6 ft.) in all other yards in residential land use districts;
- (iii) not more than 2.4 metres (8 ft.) in rear and side yards in commercial and industrial land use districts;
- (i) the temporary erection or construction of buildings, works, plant or machinery needed in connection with operations for which a development permit and a building permit have been issued;
- (j) concrete or asphalt parking surfaces (excluding carports);
- (k) the erection or placement of one accessory building or structure that is detached and less than 9.3 m<sup>2</sup> (100. sq. ft.) in area providing that it otherwise complies with this Bylaw (additional accessory buildings or structures will require a development permit);
- (l) uncovered patios or stairs provided they do not project more than the allowed distance into required setbacks;
- (m) landscaping, fish ponds, fountains, ornaments, flagpoles (less than 4.88 metres (16 ft.) in height), garden/flower boxes, or other similar landscaping features;
- (n) rear, ground level deck less than 0.61 metre (2 ft.) in height provided they meet the minimum setback requirements for accessory buildings or structures;
- (o) any residential hard surfaced or gravel driveways, parking pads not supporting a garage or carport, and/or paving stones, that was not required as part of the original development permit;
- (p) satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter provided installation meets all requirements within the Land Use District pertaining to the development;
- (q) temporary and/or portable swimming pools and hot tubs 11.15 m<sup>2</sup> (120 sq. ft.) or less in size but are subject to Safety Codes and may require a building permit. (Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.) – refer to [Part 4, Section 36](#) for other Swimming Pool standards;

- (r) temporary outdoor and seasonal sales businesses that are not permanent (e.g. farmers markets, individual single-event farm auction or estate sales, portable or seasonal fruit and vegetable stands, Christmas tree sales, etc.) that do not operate on the site more than 30 days in a calendar year;
  - (s) the carrying out of activities related to extensive agriculture as permitted in a land use district, provided it is in accordance with the specific standards and criteria of the bylaw, and with respect to the landowner adhering to good farming practices.
- 4. No development permit is required for certain signs as outlined in [Part 5 – Sign Regulations, Section 3 \(Signs Not Requiring A Permit\)](#). Typically, real estate signs, election signs, garage sale signs, window signs, municipal addresses, etc. will not require a development permit.
- 5. A development permit is not required for demolition:
  - (a) if a development permit has been approved for development on the same site and demolition is implicit in that permit; or
  - (b) for accessory buildings or structures of less than 18.58 m<sup>2</sup> (200 sq. ft.) in area.
- 6. Temporary shipping intermodal containers (c-containers or sea containers) that are needed to temporarily accommodate the storage of goods where a building has been damaged in a fire or flood do not need a development permit if the time period does not exceed 6-months from the time of placement on the property. (To exceed the 6-month period or for other types of temporary shipping containers, including those for interior renovations that are not associated with a situation where a building has been damaged in a fire or flood, do require a development permit, refer to Part 4, Section 40).
- 7. Although the previous listed items may eliminate the necessity of a Development Permit, the applicant is still responsible for obtaining any required Building Permit and/or adhering to any other applicable legislation, safety codes or municipal bylaw.
- 8. If there is a doubt as to whether a development permit is required, the matter shall be referred to the Development Authority for a determination of whether a development permit is required.



## PART 4

### STANDARDS OF DEVELOPMENT



# PART 4

## STANDARDS OF DEVELOPMENT

Except for more specific, alternative, or contradictory standards as may be set forth within an individual land use district, the following standards apply to all uses in all districts. Standards that are of a continuing nature must be adhered to at all times into the future, whether or not if attached as a condition of development permit or not.

### A. GENERAL USE PROVISIONS

Quality of Development – <a href="#">Section 1</a>	Hazardous Chemical Storage – <a href="#">Section 14</a>
Design, Character and Appearance – <a href="#">Section 2</a>	Outdoor Fuel Storage – <a href="#">Section 15</a>
Development on Non-Conforming Sized Lots – <a href="#">Section 3</a>	Easements – <a href="#">Section 16</a>
Street Corner Visibility – <a href="#">Section 4</a>	Construction Hoarding – <a href="#">Section 17</a>
Retaining Walls, Grading and Drainage – <a href="#">Section 5</a>	Site Lighting – <a href="#">Section 18</a>
Multiple Front Yard Provision – <a href="#">Section 6</a>	Commercial and Industrial Use Standards – <a href="#">Section 19</a>
Refuse Collection and Storage – <a href="#">Section 7</a>	Parking and Loading Area Requirements – <a href="#">Section 20</a>
Driveways – <a href="#">Section 8</a>	Architectural Controls – <a href="#">Section 21</a>
Fences – <a href="#">Section 9</a>	Site Plans – <a href="#">Section 22</a>
Building Setbacks – <a href="#">Section 10</a>	Hazard Lands – <a href="#">Section 23</a>
Landscaping Standards and Screening – <a href="#">Section 11</a>	Setbacks from Abandoned Wells – <a href="#">Section 24</a>
Accessory Use – Air Conditioners – <a href="#">Section 12</a>	
Servicing – <a href="#">Section 13</a>	

#### 1. QUALITY OF DEVELOPMENT

The Development Officer or the Municipal Planning Commission may impose conditions on development applications which serve to improve the quality of any proposed development within any land use district. Such special conditions may include, but are not limited to: landscaping, paved parking areas, exterior building finishes, setback variations, building mass, the control of noise, smoke, smell, and industrial wastes.

#### 2. DESIGN, CHARACTER AND APPEARANCE

- (1) The Municipal Planning Commission or Development Officer may require that specific exterior finishing materials and colour tones be utilized to maintain the compatibility of any proposed development with surrounding or adjacent developments.
- (2) The Municipal Planning Commission or Development Officer may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any proposed additions or ancillary structures with existing buildings on the same lot.

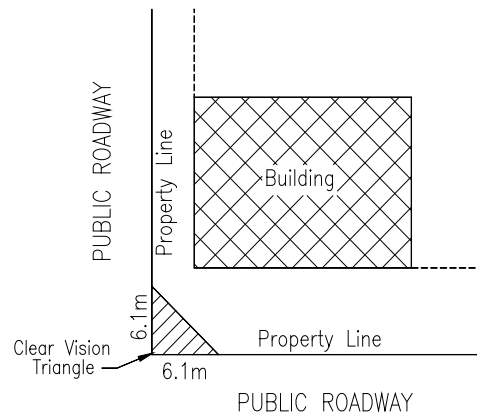
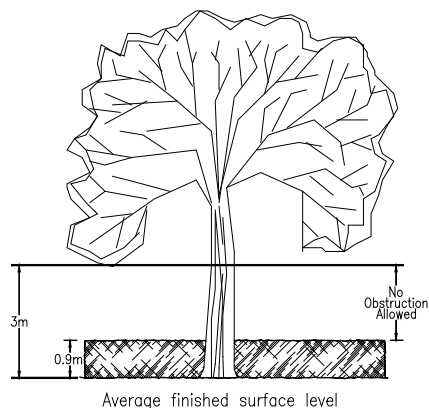
- (3) The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.
- (4) The Municipal Planning Commission or Development Officer may impose conditions on a development permit to ensure:
  - (a) that the design, character and appearance of a buildings, structures or signs is compatible with other buildings in the vicinity unless it is setting a higher standard of design, character and appearance for the land use district or a particular locality of it;
  - (b) that the design, character and appearance of the buildings, structures or sign is consistent with the purpose of the land use district in which the building is located;
  - (c) that a development complies with any provision of a statutory plan applicable to the design, character and appearance of the building in the district.

### 3. DEVELOPMENT ON NON-CONFORMING SIZED LOTS

- (1) With the approval of the Development Officer or the Municipal Planning Commission, or in the case of existing registered lots, development may be permitted on a lot which does not conform to the minimum requirements for length, width or area provided that the minimum area allowed is not less than 232.25 m<sup>2</sup> (2,500 sq. ft.) but any reduction shall be kept in accordance with the Subdivision and Development Regulation.
- (2) Development of existing lots which are contained in an existing Certificate of Title and do not meet the minimum size requirements or any other requirements of this Bylaw will be considered by the Development Authority on a case-by-case basis.

### 4. STREET CORNER VISIBILITY

- (1) On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections.
- (2) Such restrictions apply between 0.9 metre (3 ft.) and 3.0 metres (10 ft.) above the centre line grades of the intersecting streets in the area, bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 metres (20 ft.) from the point of intersection.



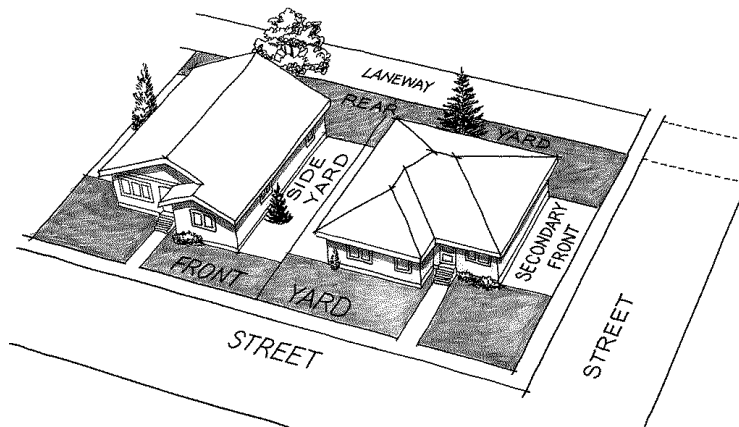


## 5. RETAINING WALLS, GRADING AND DRAINAGE

- (1) All drainage water shall be conveyed to the front street or rear lane and shall not negatively affect adjacent properties.
- (2) Municipal Planning Commission or Development Officer may require:
  - (a) the construction of a retaining wall, including submittal of a certified engineered design, as a condition of development is significant differences in grade exist or will exist between developed and adjacent parcels;
  - (b) special grading to prevent drainage problems with neighbouring lots as a condition of a development permit;
  - (c) the provision of engineered grading and drainage plans for the development.

## 6. MULTIPLE FRONT YARD PROVISION

- (1) Where any lot has more than one front yard line, the front yard setback requirement shall apply to all yards, but at the discretion of the Development Officer or the Municipal Planning Commission only one-half the front yard setback requirement may apply to one of the front yards and that yard shall be considered a secondary front yard.
- (2) Notwithstanding [Section 6\(1\)](#) above, in residential land use districts, the minimum setback between a garage whose overhead door faces the street and the property line adjacent to that street shall not be less than 4.9 metres (16 ft.) to allow for driveway stacking space for vehicles.



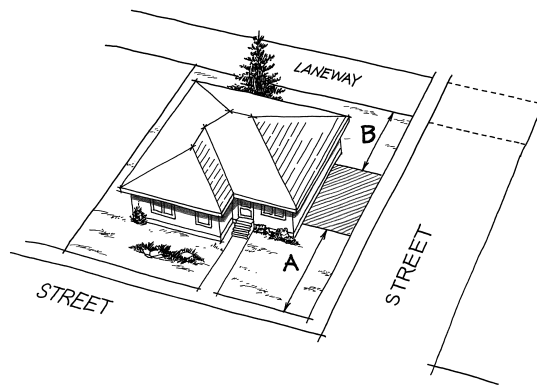
## 7. REFUSE COLLECTION AND STORAGE

- (1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.
- (2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.
- (3) Refuse and garbage holding areas, enclosure and compaction areas shall be located and design to ensure adequate on-site manoeuvring for refuse collection vehicles.

- (4) Refuse and garbage holding areas, enclosure and compaction areas shall be kept in a good state of condition and shall not produce odours or other nuisance activities that negatively affect adjacent properties.
- (5) In a residential land use district, no outdoor storage of garbage shall be permitted in any front yard, including any unscreened portion of either front yard on a corner lot except in an approved garbage enclosure.

## 8. DRIVEWAYS

- (1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.
- (2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.
- (3) When not already included, all single-detached and semi-detached dwellings should provide for the future construction of an attached garage or carport for one or more vehicles.
- (4) Only one front or side yard driveway per lot shall be permitted for single-detached residential development (including single-wide and double-wide manufactured homes). A separate driveway accessible from a rear lane is permitted on a lot.
- (5) Driveways shall be a minimum of 3.0 metres (10 ft.) and a maximum of 7.62 metres (25 ft.) in width, unless otherwise approved by the Municipal Planning Commission, on the basis of merit.

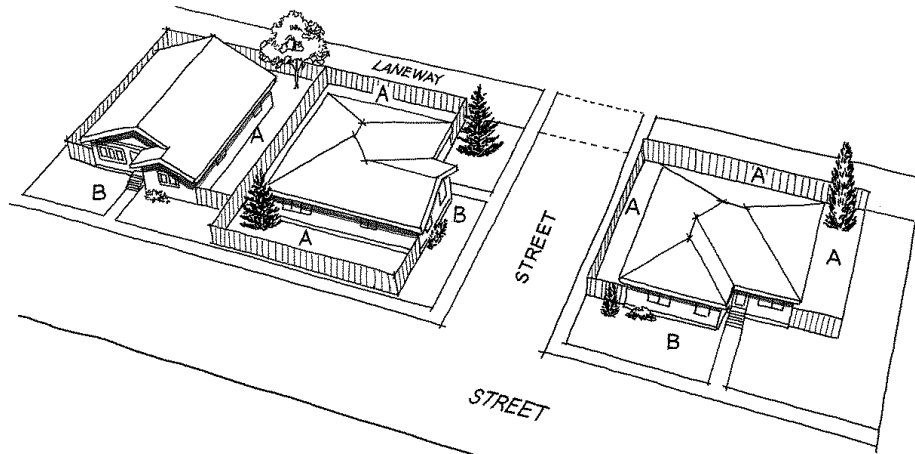


- (6) Driveways shall be a minimum of 4.6 metres (15 ft.) from the intersection of two public roadways (as illustrated as setback A on Diagram) and 3.0 metres (10 ft.) from the entrance to a lane (as illustrated as setback B on Diagram).

## 9. FENCES

- (1) No fence, wall, vegetation, or any combination thereof shall extend more than 0.9 metre (3 ft.) above the ground in any front yard area (labelled as area B on diagram), except in the case of corner lots where one yard is considered as the side yard as indicated in [Section 6](#) and in accordance with [Section 4](#) of this Part, without approval by the Municipal Planning Commission.

- (2) On parcels designated as residential land use districts fences in rear and side yards (labelled as area A on diagram) shall be limited to 1.8 metres (6 ft.) in height.



- (3) Fences in rear and side yards in commercial and industrial land use districts shall be limited to 2.4 metres (8 ft.) in height unless otherwise stipulated in the land use district.
- (4) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.
- (5) Fences are prohibited from encroaching into municipal property, including roads, lanes and rights-of-way, unless permission is granted from the municipality.

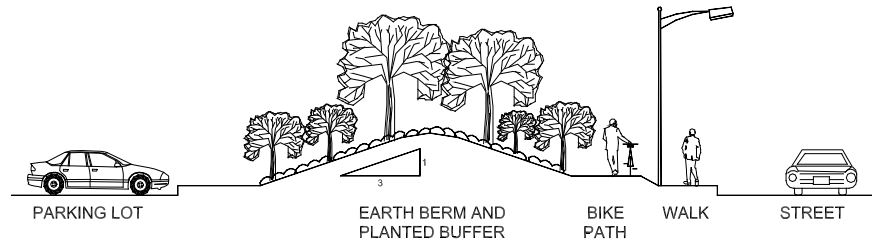
## 10. BUILDING SETBACKS

- (1) The Municipal Planning Commission may waive the building setback requirement in a well-established residential area if, in their opinion, the setback blends in with the prevailing yard pattern.
- (2) The Development Officer or the Municipal Planning Commission may require varied building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area. An average variation of up to 1.5 metres is considered as acceptable in consideration of the standards of this Bylaw.
- (3) The Municipal Planning Commission may require increased building setbacks other than those listed in [Sections 10\(1\) and \(2\)](#) above if, in their opinion, such setbacks would:
- (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.

## 11. LANDSCAPING STANDARDS AND SCREENING

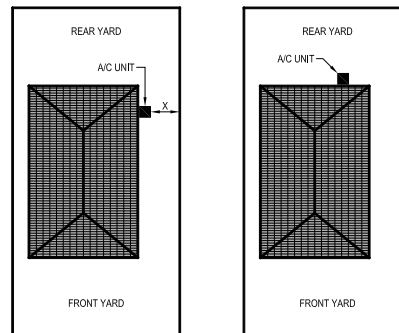
- (1) The Municipal Planning Commission or Development Officer may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development, or help ensure another standard or requirement of this Bylaw is met, such as providing required screening.

- (2) The minimum front yard setback area, or an equal percentage of the site area as required by the Municipal Planning Commission, and in the case of corner lots, the minor front yard setback area as well, shall be comprehensively landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission in accordance with the guidelines in this section, except for those areas occupied by sidewalks or driveways.
- (3) Separation, or buffering, between adjacent land uses may be required, including the use of trees, shrubs, fences, walls, and berms to buffer or screen uses of negative impact.
- (4) Where any commercial or industrial parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Municipal Planning Commission or Development Officer shall require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features.
- (5) In commercial and industrial land use districts, no outdoor storage shall be permitted in the required front yard setback of 7.6 metres (25 ft.), nor in the required corner lot secondary street side yard setback of 3.8 metres (12.5 ft.).
- (6) Outdoor storage is prohibited in the front yard. All loading, service, and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (7) Other outdoor storage areas shall be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof, and shall be maintained in good condition unless exempted by the Municipal Planning Commission.
- (8) Landscaping may consist of any or all of the following:
  - (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chips, crushed rock, field stone or other similar features;
  - (c) berming, terracing;
  - (d) innovative landscaping features, xeriscaping;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- (9) Parking lots shall be landscaped and/or screened as required by the Development Authority where deemed appropriate, to help buffer or screen the use to adjacent land uses, for limiting the percentage of hard surface in relation to surface drainage management or for aesthetic purposes, at the discretion of the Development Authority.
- (10) The Municipal Planning Commission or Development Officer may require a reasonable security deposit in relation to landscaping or screening requirements if it is imposed as a condition of a development permit approval or development agreement to ensure the terms of the agreement are carried out to the satisfaction of the municipality.



## 12. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be located less than 1.0 metre (3.3 ft.) from side and rear lot lines.



(far left.) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).

(near left.) Preferred location in rear.

## 13. SERVICING

- (1) All development proposed for parcels, lots and unserviced areas shall be required to connect to both the municipal water supply and sewerage system.
- (2) Notwithstanding [Section 13\(1\)](#), where no municipal servicing is reasonably available, development may be approved at the discretion of the municipality and shall be subject to compliance with Alberta Health Services and Alberta "Private Sewage Systems Standard of Practice 2009" or its successor for unserviced parcels. Prior to development approval, the applicant shall be required to submit a professional soils analysis/test and report to demonstrate the suitability of the site for on-site septic, to the satisfaction of the Development Authority.
- (3) All multi-unit residential developments must provide separate utility services and meters to each unit. Multi-unit commercial or industrial developments may be required to provide separate utility services and meters if the units or condominiumized or planned for future subdivision.
- (4) Developments are not permitted to connect weeping tile and sump pumps to the town's sanitary sewer.
- (5) Developments are required to provide a municipally approved backflow preventing valve or device at the water connection, unless otherwise exempted by the municipality.
- (6) All Automotive, Service Station and Washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.

#### **14. HAZARDOUS CHEMICAL STORAGE**

- (1) The storage of hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Town.
- (2) The municipality is exempt from [Section 14\(1\)](#) above if the hazardous chemicals are required for public works, services or utilities carried out by or on behalf of the municipality or other public authorities and are stored on land which is publicly owned or controlled.

#### **15. OUTDOOR FUEL STORAGE**

The permanent outdoor storage of fuel in any residential land use district shall be suitably fenced to the satisfaction of the Development Officer or the Municipal Planning Commission.

#### **16. EASEMENTS**

All buildings or structures shall not be located over top of an easement or right-of-way unless otherwise permitted by the holder of the easement right.

#### **17. CONSTRUCTION HOARDING**

A temporary development permit is required for erection of construction hoarding which may infringe on any public property such as sidewalks or streets. The maintenance of pedestrian and vehicular access shall be deemed to be essential.

#### **18. SITE LIGHTING**

Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect adjacent properties or interfere with traffic safety.

#### **19. COMMERCIAL AND INDUSTRIAL USE STANDARDS**

The Municipal Planning Commission or Development Officer may set conditions to improve the compatibility with nearby land uses of any industrial or commercial use or development including, but not limited to:

- (a) measures to control noise, smoke, dust, ash, smell, glare, heat and/or industrial waste;
- (b) design, exterior building finish, siting, setbacks, paving of parking areas, and other details, as appropriate;
- (c) screen parking and traffic circulation areas abutting side or rear lot boundaries with a fence, wall or hedge to the satisfaction of the Municipal Planning Commission;
- (d) provide landscaping of a type and amount satisfactory to the Municipal Planning Commission or Development Officer.

## 20. PARKING AND LOADING AREA REQUIREMENTS

Specific land use districts may contain parking and loading area requirements in addition to this section, or may have different standards. If there is a perceived conflict with any standard or requirements, the standards and regulation as listed in the applicable land use district shall take precedence.

### Off-Street Parking Area Requirements

- (1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.
- (2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- (3) The Development Authority may require that parking areas or portions thereof be paved or other approved hard surfaced.
- (4) Off-street parking may be located in the front yard, as well as the side and rear yard if access is available.
- (5) In lieu of providing off-street parking for non-residential uses, an owner of land to be developed may, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development. To be eligible for the payment-in-lieu provision, the Development Authority may require a minimum of 50 percent of the total parking requirement for the development be provided in accordance with [Part 4, Section 20\(10\)](#).
- (6) Off-street parking spaces in non-residential land use districts adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.
- (7) All parking spaces provided shall be on the same lot as the building or use, except that the Development Officer or Municipal Planning Commission may permit parking spaces to be on a lot within 152.4 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by Council shall be registered against the lot protecting it for such use.
- (8) A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority. A shared parking provision based upon the proposed sharing of parking spaces between two or more uses must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.
- (9) Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in [Section 20\(10\)](#), Specific Requirements.

### Specific Requirements

(10) The following shall be used to calculate the off-street parking spaces required for a proposed development:

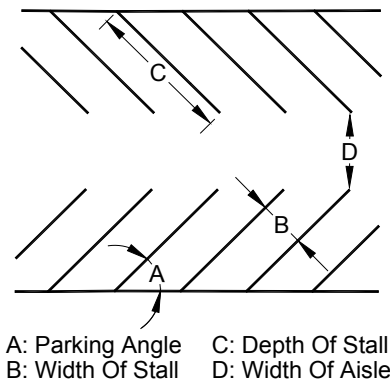
Use	No. of Stalls Required
<b>Dwellings:</b>	
Single-detached (all types)	2 per dwelling unit
Duplex/semi-detached dwelling	2 per each dwelling unit
Multi-unit dwellings	2 per each dwelling unit
Secondary Suite	1 per secondary suite (less than 3 bedrooms) 2 per secondary suite (3 bedrooms) (In addition to the principal dwelling)
Home Occupations B (with a business vehicle)	1 per approved use (in addition to the principal dwelling requirement)
Day care facility	1 pick-up/drop-off space per 10 children plus 1 space per employee
Group home facility	1 space per every 3 dwelling units plus 1 space per working employee
Licensed premises	1 per 2 seating spaces
Retail stores and personal service	1 per 55.74 m <sup>2</sup> (600 sq. ft.) of gross floor area
Banks and offices	1 per 65.03 m <sup>2</sup> (700 sq. ft.) of gross floor area
Health or dental service	1 space per staff member and 1 space per examination room
Service stations	1 per employee and 2 per service bay
Motels, hotels, bed and breakfasts	1 per guest room (for bed and breakfasts it is in addition to the residential requirements)
Restaurants and cafes	1 per 4 seating spaces
Religious or public assembly	1 per 6 seating spaces or 1 per 9.29 m <sup>2</sup> (100 sq. ft.) of gross floor area, whichever is greater
Senior citizen housing or facility	1 space per 2.5 dwelling units plus 1 space per working employee
Community hall or cultural facility	1 space per 6 seating spaces or 1 per 9.29 m <sup>2</sup> (100 sq. ft.) of gross floor area, whichever is greater plus 1 space per working employee
Industrial and heavy commercial uses	1 per 65.03 m <sup>2</sup> (700 sq. ft.) of gross floor area; or 1 per 3 employees whichever is greater with a minimum of 2 spaces per use.
Recreational uses or facilities	As required by the Development Authority
All others	As required by the Development Authority



**Note:** Calculation of parking requirements resulting in a fractional number shall be rounded to the next highest number.

<b>Table 1 – Minimum Parking Space Dimensions - Non-residential</b>						
<b>A: Parking Angle</b>	<b>B: Stall Width</b>		<b>C: Stall Depth</b>		<b>D: Aisle Width</b>	
Degrees	Metres	Feet	Metres	Feet	Metres	Feet
0	2.44	8.0	6.71	22	3.66	12
30	2.74	9.0	5.49	18	3.35	11
45	2.59	8.5	6.10	20	3.96	13
60	2.59	8.5	6.40	21	5.49	18
90	2.90	9.5	5.64	18.5	7.32	24

**Minimum Parking Space Dimensions - Non-residential**



### **Barrier-Free Parking**

- (11) The minimum number of barrier-free parking spaces to be provided for non-residential uses, excluding higher density, shall be a portion of the total number of off-street parking spaces required, in accordance with Table 2, Barrier-Free Parking Spaces.
- (12) Each barrier-free parking space for the disabled shall be:
  - (a) at least 3.66 metres (12 ft.) wide;
  - (b) have a firm, slip-resistant and level surface;
  - (c) be clearly marked as being for the use of persons with disabilities only.
- (13) Where there are two or more adjacent barrier-free parking stalls, a 1.52 metres (5 ft.) wide access aisle shall be provided between the stalls.
- (14) Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.
- (15) There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.

- (16) The Development Authority may require an additional number of spaces be provided when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking, such as, but not limited to, medical or health services, pharmacies and restaurants.

Table 2 – Barrier-Free Parking Spaces	
Number of parking spaces required for a use	Number of barrier-free spaces required for use by persons with disabilities
0-10	0*
11-25	1
26-50	2
51-100	3
for each additional increment of 100 or part thereof	one additional stall

\* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

#### **Loading Area Requirements**

- (17) There shall be a minimum of one off-street loading area per building in the C1, C2 and I land use districts, except as provided for in [Section \(21\)](#) below of this Part.
- (18) All loading areas shall provide a doorway into a building sufficient to meet the needs of the use within the building.
- (19) The minimum dimensions for a loading space shall be 3.05 metres (10 ft.) by 9.14 metres (30 ft.) with an overhead clearance of 3.96 metres (13 ft.). The Development Authority may require a larger loading space to be sufficient to meet the needs of the use within the building if it is deemed necessary.
- (20) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow, or parking.
- (21) The Development Authority may consider a joint loading area for two or more uses if, in their opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.
- (22) The Development Authority may require additional loading areas or doors if, in his or their opinion, such additional areas or doors are deemed necessary.

#### **Stacking Spaces for Drive-through Uses**

- (23) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces on-site:
- (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window  
For order boxes associated with (i), the order box must be located a minimum of 9.1 m (30 ft.) from the boundary of a road right-of-way.

- (b) Gas station: 9.1 m (30 ft.) from each end on pump island
- (c) Bank machine: 22.9 m (75 ft.) from bank machine window
- (d) Car wash: 15.2 m (50 ft.) from car wash entrance
- (e) Other: As determined by the Development Authority

(24) The minimum stacking space requirements in [Section \(23\)](#) may be varied by the Development Authority depending upon the intensity of the proposed development.

## **21. ARCHITECTURAL CONTROLS**

All development must comply with any approved architectural controls if required as part of an area structure plan or subdivision approval. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application.

## **22. SITE PLANS**

The Development authority may require a professionally prepared detailed comprehensive site plan as part of the development permit application to illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, drainage and utility easements.

## **23. HAZARD LANDS**

- (1) The Subdivision Authority may refuse to approve an application for subdivision or the Development Authority may refuse to approve an application for a development if the proposed development is located in potential hazard land areas (e.g. floodplains, steep or unstable slopes, permanent wetlands) or on other areas where hazard lands are identified, such as coal mining areas, gas wells, abandoned wells, former landfills, or former industrial lands, unless the relevant Approval authority is satisfied the subdivision development can proceed safely.
- (2) Prior to making a decision on a subdivision or development application, the Subdivision or Development Authority may:
  - (a) request that a professionally prepared geotechnical analysis, be submitted at the applicant's expense;
  - (b) circulate the application proposal and corresponding geotechnical report to any relevant government departments for comment; and,
  - (c) depending on the nature of the hazard, request that an Environmental Impact Assessment (EIA) as prepared by a certified engineer be submitted at the applicant's expense.

## **24. SETBACKS FROM ABANDONED WELLS**

The Subdivision and Development Regulation (Alberta Regulation 160/2012) requires municipalities to ensure that applicants include abandoned well information from the ERCB in applications for both subdivisions and development permits. The Town of Picture Butte shall meet the legislative requirements of Alberta Regulation 160/2012 regarding subdivision and development by applying the following policies:

- (1) It is the responsibility of the applicant of the proposed subdivision and/or development to take measures to identify any abandoned wells within that property and to apply the required setback.
- (2) The Subdivision or Development Authority shall not deem a subdivision or development permit application complete until the applicant has provided the required abandoned well information from the ERCB.
- (3) The applicant shall be required to provide the following information:
  - (a) the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
  - (b) if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 metre radius around the well) in relation to existing or proposed building sites.
- (4) If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.
- (5) Notwithstanding a use may be a permitted use or discretionary use, surface structures on top of an abandoned well are not permitted and a minimum 5 metre setback radius around the well shall be maintained.

## B. SPECIFIC USE PROVISIONS

Alternative Energy Sources – <a href="#">Section 25</a>	Portable Garages and Covered Storage Structures – <a href="#">Section 35</a>
Bed and Breakfasts – <a href="#">Section 26</a>	Private Swimming Pools – <a href="#">Section 36</a>
Car and Truck Wash Facilities – <a href="#">Section 27</a>	Satellite Dish Antennas – <a href="#">Section 37</a>
Day Care (Child and Adult Care Facilities) – <a href="#">Section 28</a>	Secondary Suites – <a href="#">Section 38</a>
Day Home – <a href="#">See Section 29</a>	Service Stations and Gas Bars – <a href="#">Section 39</a>
Group Care or Group Home Facility – <a href="#">Section 30</a>	Shipping Containers – <a href="#">Section 40</a>
Home Occupations – <a href="#">Section 31</a>	Solar Collectors – <a href="#">Section 41</a>
Manufactured Dwellings – <a href="#">Section 32</a>	Small Wind Energy Systems – <a href="#">Section 42</a>
Ready-to-Move Dwellings (New) – <a href="#">Section 33</a>	Telecommunication Antenna Siting Protocol – <a href="#">Section 43</a>
Moved-In Dwellings and Buildings – <a href="#">Section 34</a>	

### 25. ALTERNATIVE ENERGY SOURCES

The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar collectors, heat exchange systems, geothermal, generators,

turbines, etc. provided that any additional approvals or standards required at the municipal, provincial and/or federal levels are met or exceeded.

## **26. BED AND BREAKFASTS**

- (1) **Bed and breakfast** means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.
- (2) Bed and Breakfast accommodation shall be an incidental and subordinate use to the principal use and restricted to the dwelling unit, and:
  - (a) advertising may only be permitted in compliance with [Section 31\(12\)](#) of this Part, the same as a Home Occupation 1 use;
  - (b) alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building;
  - (c) an approved development permit will remain in effect, provided the intensity of use does not increase and all requirements of the development permit have been satisfied;
  - (d) a development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;
  - (e) employees working in the business shall be limited to the residents of the dwelling unit;
  - (f) the accommodation shall be limited to a maximum of two guest rooms and a maximum of four guests in addition to the permanent residents;
  - (g) a development permit is based solely on the location of use. If a permit holder relocates within the municipality, the person must apply for a development permit to continue the use from the new location;
  - (h) accommodation for each group of guests shall be for a maximum of 14 consecutive days;
  - (i) guest rooms shall not be permitted to contain cooking or kitchen facilities;
  - (j) meals may be provided to registered guests only and meals for guests shall be prepared in the common kitchen of the principal residence;
  - (k) one off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling;
  - (l) the applicant shall be responsible for compliance with the Alberta Health “Bed and Breakfast” Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations;
  - (m) the issuance of a development permit in no way exempts the applicant from obtaining any other Provincial approvals that may be required.

## **27. CAR AND TRUCK WASH FACILITIES**

- (1) All washing facilities shall occur within an enclosed building with at least two bay doors.

- (2) Vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than 15.24 metres (50 ft.) from the boundary of any residential land use district.
- (3) The building shall be located a minimum of 30.48 metres (100 ft.) from the boundary of any residential land use district.
- (4) All off-street parking areas shall be hard-surfaced and dust-free.
- (5) Any lights used to illuminate the area shall be directed away from adjacent residential properties.
- (6) A permanent screening fence or wall not less than 1.83 metres (6 ft.) in height shall be constructed along any site property line which abuts a residential land use district.
- (7) For parking and stacking requirements, refer to [Part 4, A. General Use Provisions](#).
- (8) A development permit approval for a car or truck wash may be denied, if in the opinion of the Development Authority, there is not sufficient water or sewer service or capacity for the development.
- (9) All washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.
- (10) No consideration shall be given to allowing truck or trailer wash-out (clean-out) use as a part of an approved car or truck wash facility, or on its own, as part of any approval.

## **28. DAY CARE (BOTH CHILD AND ADULT CARE FACILITIES)**

All day care (child or adult) facilities may be approved subject to the following conditions and requirements:

- (1) If determined necessary by the Municipal Planning Commission, the applicant for a day care (child or adult) facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Signage for day/child or adult care facilities must comply with the following:
  - (a) a maximum of one sign;
  - (b) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size; and
  - (c) sign must be located in the buildings window in a residential land use district.
  - (d) In a residential land use district a request for more than one sign or a sign greater than 0.74 m<sup>2</sup> (8 sq. ft.) requires a separate development permit application. In a commercial or industrial land use district, one exterior building sign may be permitted in addition to a window sign.
- (4) Site lighting must be designed not to “flood or spill” into adjacent property.

- (5) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
- (6) The use shall not generate traffic problems within the district.
- (7) The use requires a minimum of one on-site pick-up and drop-off space for every 15 children/clients and the location of passenger loading zones for day care facilities may be specified by a condition of a development permit.
- (8) On-site parking for employees is as required at the discretion of the Municipal Planning Commission.
- (9) On-site parking should be separated from pedestrian traffic and outdoor areas for children.
- (10) A day (child) care facility/site catering to children must have screening for any outdoor play areas to the satisfaction of the Municipal Planning Commission.
- (11) All applications for day care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies. All child care facilities must be licensed and operate in accordance with the provincial *Child Care Licensing Act*.
- (12) It is highly encouraged that day (child) care facilities have some sort of secure, outdoor or active play area space available for children on the parcel, which may be stipulated as conditions on a development permit approval.
- (13) In considering the suitability of a building or site for a discretionary child care use, the Municipal Planning Commission may consider the appropriateness of location for child care with regard for the proximity to required services, parks, neighbourhood characteristics, traffic issues or congestion in the neighbourhood, and if the size is adequate to meet program requirements, including outdoor space, parking, and the drop-off zone.

## **29. DAY HOME**

- (1) The operation of a day home does require a development permit.
- (2) A day home shall have no more than six clients a day.
- (3) A day home shall not be located within a dwelling containing another Home Occupation.
- (4) Signage for day home facilities must comply with the following:
  - (a) a maximum of one sign;
  - (b) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size; and
  - (c) sign must be located in the buildings window.
- (5) Notwithstanding that a development permit may not be required; all day homes must comply with provincial requirements and regulations.

## **30. GROUP CARE OR GROUP HOME FACILITY**

- (1) The applicant is required as part of the development permit application, to provide information on the following:

- (a) the type of client served,
  - (b) the number of clients accommodated,
  - (c) the number of staff employed, and
  - (d) the submission of a plan that describes how communication with neighbours will be carried out and how neighbourhood compatibility problems are to be resolved.
- (2) All group home facilities that may be approved are subject to the following conditions and requirements:
- (a) If determined necessary by the Development Authority, the applicant for a **group home** facility shall be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
  - (b) The total occupancy by clients and staff shall be specified for each development by condition of a development permit. The total number of clients shall not exceed more than two per bedroom in a residential District.
  - (c) The Development Authority may establish the maximum number of residents allowed in a group care or group home facility on a case specific basis with attention given to the District in which the use is located and the type of facility seeking approval.
  - (d) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
  - (e) If the group care or home facility is operating within a dwelling, the dwelling must be located on a street with a rear lane, and is not permitted to be located within cul-de-sacs or lane-less streets.
  - (f) The use of accessory buildings, structures or uses not associated with the principal residential dwelling are not permitted on the property.
  - (g) Site lighting must be designed not to “flood or spill” into adjacent property.
  - (h) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
  - (i) The use shall not generate traffic problems within the district.
  - (j) On-site parking is required in accordance with [Part 4, Section 20\(10\)](#).
  - (k) Signage for group home facilities must comply with the following:
    - (i) a maximum of one sign,
    - (ii) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size, and
    - (iii) sign must be located in the buildings window.
  - (l) All applications for group home facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies and the group home shall comply with provincial standards.



### 31. HOME OCCUPATIONS

#### Intent

The intent of this section is to provide regulations respecting home occupation in accordance with the following objectives:

- (a) to protect residential areas and districts from incompatible non-residential land uses;
- (b) to ensure that commercial and industrial uses are located in appropriate commercial or industrial districts;
- (c) to facilitate, where appropriate, the establishment of suitable home occupations as a means to foster small-scale business, while ensuring such businesses are relocated to suitable commercial or industrial districts when they become incompatible with a residential area or become unsuitable as a home occupation.

#### Home occupations may be approved under the following classifications:

**Home Occupation A** – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:

- (a) outdoor storage and/or display of goods;
- (b) non-resident employees; and/or
- (c) customer/client visits to the residence.

**Home Occupation B** – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation A and which may involve:

- (a) the use of an accessory building;
- (b) outdoor storage and/or display of goods within the residence or accessory building;
- (c) one non-resident employee; and/or
- (d) customer visits.

#### General Standards

The following standards apply to Home Occupations A and B:

- (1) The business operator must be a full-time resident of the home.
- (2) No variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted.
- (3) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (4) No commercial vehicles of an overall length that exceeds 6.7 metres (22 ft.) or tandem trucks shall be parked or maintained on a public road right-of-way or lane.
- (5) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

- (6) No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceed the normal demand for residences in the area.
- (7) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (8) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (9) Home occupations shall not include:
  - (a) activities that use or store hazardous materials;
  - (b) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (c) any use declared by resolution of Council to be undesirable as a home occupation.
- (10) Only one home occupation shall be permitted per dwelling or as otherwise approved by the Development Authority.
- (11) All permits issued for home occupations shall obtain a yearly business license from the town. The development permit is only valid as long as an issued and valid municipal business license has been approved.

**(12) Home Occupation Signage**

Signage advertising a Home Occupation A shall:

- (a) be limited to one sign located in the buildings window of an approved home occupation use, up to a maximum of not more than 50 percent coverage of the surface area of the window or 0.74 m<sup>2</sup> (8 sq. ft.) in size, whichever is the lesser.

Signage advertising a Home Occupation B shall:

- (b) be limited to one of the following signs: a fascia sign, shingle type projecting sign or window sign, on the premises of an approved home occupation use;
  - (c) not exceed 0.4 m<sup>2</sup> (4 sq. ft.) in area; or
  - (d) not cover more than 50 percent of the surface area of the window or 0.74 m<sup>2</sup> (8 sq. ft.) in size, whichever is the lesser; and
  - (e) shall be as approved by the Municipal Planning Commission.
- (13) The development permit for the use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

**Home Occupation B Standards**

In addition to the general standards, the following standards shall apply to Home Occupation B permits:

- (14) A maximum of one non-resident employee is allowed. For the purposes of this provision, a non-resident employee is someone who does not live at the home.
- (15) Outdoor storage shall be screened from adjacent properties and the public view.
- (16) Customer and employee parking, in addition to the parking requirements for residential use, may be required.
- (17) The number of customer visits and hours of operation may be limited by the Development Authority to minimize impacts on surrounding residential uses.
- (18) The home occupation shall not be permitted if, in the opinion of the Development Authority, the use would be more appropriately located within a commercial or industrial district.

### 32. MANUFACTURED DWELLINGS

*Single-detached dwelling **Manufactured home 1** means a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. Single-detached manufactured homes include the following: manufactured, modular, and prefabricated. A new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include ready-to-move, manufactured home 2 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers. See [Part 6](#) for all Definitions.*



#### **ELIGIBLE – Manufactured Home 1:**

- New factory-built units within the past year of application for a permit and not previously occupied. In appearance, a Manufactured Home 1 shall generally resemble conventional site-built (stick-built) constructed homes.
- Must be current Canadian Standards Association (CSA) certified units and built to the Alberta Building Code.
- This category includes the terms or types of manufactured, modular, and prefabricated homes that conform to the bylaw standards.

#### **Manufactured Home 1 Standards**

- (1) The development permit conditions for single-detached dwelling Manufactured Home 1 shall generally correspond with typical conditions for a single-detached dwelling, site built.
- (2) The minimum roof pitch shall not be less than a 4/12 pitch.
- (3) The minimum floor area of the principal dwelling shall be as stipulated by the applicable land use district.
- (4) The dwelling shall be a minimum 7.32 metres ( 24 ft.) in width.

- (5) Every entrance/exit into a manufactured home must be furnished with a landing and/or set of stairs.
- (6) A set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany any development permit application.
- (7) Manufactured dwellings shall be placed on a conventional, permanent concrete foundation (either a basement foundation or slab-on-grade), unless otherwise approved by the Development Authority (timber supports or concrete block are not acceptable).
- (8) The design, character and appearance of the home shall be consistent with the intent of the land use district.
- (9) The Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district.
- (10) As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in the opinion of the Development Authority, they would serve to improve the quality or compatibility of any proposed development.
- (11) The Development Authority may require a bond or irrevocable letter of credit of a minimum of \$3,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.
- (12) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
- (13) The building, when completed, shall meet provincial building requirements.
- (14) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

*Single-detached dwelling* **Manufactured home 2** means a manufactured home that has been either previously occupied, is new or does not meet the definition or standards of Manufactured home 1. These are commonly or have previously been referred to as “Mobile homes” and may consist of “Double-wide”, which means a manufactured home consisting of two sections, moved separately, that are joined together into one integrated dwelling unit on site, or “Single-wide” which means a manufactured home designed to stand alone as a single dwelling unit.



*This definition does not include ready-to-move, manufactured home 1 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers. See [Part 6](#) for all Definitions.*

#### **ELIGIBLE – Manufactured Home 2:**

- New and used factory-built units, not older than 10 years, in a state of good condition as determined by the Development Authority (note: previously referred to as mobile homes).
- Current Canadian Standards Association (CSA) certified units.
- A manufactured home 2 shall be in a state of good condition or repair as may be determined by the Development Officer or the Municipal Planning Commission.
- Any application for a development permit to locate a used manufactured home shall include recent colour photographs of all elevations (i.e. front, side and rear views) including additions.

#### **Manufactured Home 2 Standards**

- (15) Every entrance/exit into a manufactured home 2 must be furnished with a landing and/or set of stairs.
- (16) The minimum floor area of the principal dwelling shall be as stipulated by the applicable land use district.
- (17) Every entrance/exit into a manufactured home 2 must be furnished with a landing and/or set of stair.
- (18) Foundations may include continuous concrete, timber supports, or concrete block.
- (19) Colour photographs or plan elevations illustrating the exterior of the dwelling and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany any development permit for a manufactured home 2 dwelling.
- (20) The design, character and appearance of the home shall be consistent with the intent of the land use district.
- (21) The Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district.
- (22) As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in

the opinion of the Development Authority, they would serve to improve the quality or compatibility of any proposed development.

- (23) The Development Authority may require a bond or irrevocable letter of credit of a minimum of \$5,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.
- (24) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
- (25) The building, when completed, shall meet or exceed provincial building requirements.
- (26) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

#### **Manufactured Home 2 Additions**

- (27) Any addition to a manufactured home 2 shall be of a design and finish which will complement the mobile home unit.
- (28) Additions shall be located to the rear or side of the manufactured home 2 unit only.
- (29) Additions shall not exceed 20 percent of manufactured home 2 units.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

### **33. READY-TO-MOVE DWELLINGS (NEW)**

***Ready-to-move** dwelling means a dwelling that is a conventional stick framed home previously unoccupied that is constructed at a location other than on the lot intended for occupancy, and then is later moved to the site. Refer to [Part 6](#), Definitions.*



#### **ELIGIBLE – Eligible Ready-to-move Dwellings:**

- New stick framed (conventional) dwelling units built off-site within the past year of application for a permit and/or not previously occupied.
- Dwelling must be built to the Alberta Building Code.

#### **Standards**

- (1) Conditions for a single-detached ready-to-move dwelling shall generally correspond with typical conditions for a single-detached dwelling, site built.
- (2) The standards and conditions as outlined for Manufactured Home 1 shall also apply to ready-to-move dwellings.

### 34. MOVED-IN DWELLINGS AND BUILDINGS

**MOVED-IN BUILDING** means a previously used or existing building, which is removed from a site, and then transported and re-established on another site.

**MOVED-IN DWELLING** means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this Bylaw this does not include modular dwellings, manufactured homes, prefabricated dwellings, ready-to-move dwellings or park model recreational units, park model trailers or travel trailers. Refer to [Part 6, Definitions](#).

The intent of this section is to ensure that moved-in buildings, through the adherence to building conditions and regulations, do not create a land use conflict and are in an acceptable state condition.

#### Standards

All moved-in dwellings or buildings shall comply with the following:

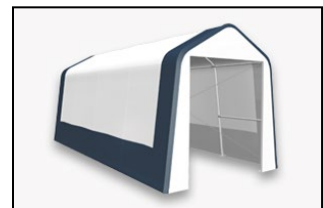
- (1) Every application to relocate a building shall be accompanied by:
  - (a) details of the purpose for which it is to be used;
  - (b) details of the building's size, age and structural condition;
  - (c) a minimum of four recent colour photographs showing all sides of the building;
  - (d) a plan of the proposed site showing the future location of the building.
- (2) A report from a qualified building inspector or engineer that the building meets, or can be readily renovated to meet or exceed Alberta Uniform Building Standards regarding each application shall be filed before any such application will be considered.
- (3) The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in this Land Use Bylaw.
- (4) The building, when completed, shall meet all requirements of the *Alberta Uniform Building Standards Act*.
- (5) The value of the completed building shall be comparable to, or better than the average value of the other buildings in the immediate area and on upgrading standards to which the building shall comply shall be established by the Municipal Planning Commission at the time of approval of the application and form a part of the conditions of the development permit.
- (6) For a moved-in dwelling, the following standards or conditions shall also apply:
  - (a) the Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district;
  - (b) a moved-in dwelling shall be placed on a conventional, permanent concrete foundation (either a basement foundation or slab-on-grade), unless otherwise approved by the Development Authority (timber supports or concrete block are not acceptable);
  - (c) any portion of a concrete block foundation above grade shall be parged unless otherwise finished with another approved material;

- (d) the maximum height of the exposed portion of a concrete block foundation shall be not more than 0.91 metres (3 ft.) above the average finished grade level of the surrounding ground;
  - (e) the design, character and appearance of the home shall be consistent with the intent of the land use district.
- (7) For moved-in buildings, the Municipal Planning Commission may impose conditions regulating the exterior finish and roofline to ensure compatibility to other uses within the land use district.
  - (8) The building shall comply with all provincial health and fire regulations and with all applicable municipal bylaws.
  - (9) The Municipal Planning Commission may request that security (e.g. bond, cash, an irrevocable letter of credit) at a minimum of \$5,000.00 or up to 50 percent of the estimated value of the structure be posted and may set the amount of the bond and the conditions of its return before issuing a development permit.
  - (10) A final inspection by the building inspector and/or Development Officer shall be made to establish full compliance with all requirements.
  - (11) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
  - (12) If applicable and requested, a copy of the occupancy permit shall be submitted to the Town office prior to occupancy.
  - (13) Any cost incurred for building inspections prior to the issuance of a development permit shall be at the expense of the applicant.
  - (14) A limit for the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the approval of the application.

*Notes:* The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

### **35. PORTABLE GARAGES AND COVERED STORAGE STRUCTURES**

- (1) All portable garages (fabric buildings) and storage structures shall require a development permit.
- (2) Portable garages (fabric buildings) and storage structures are to be considered as permanent accessory buildings or structures and must meet the required setbacks, maximum height, maximum site coverage and other applicable standards of the bylaw. Development permit applications involving fabric buildings shall be considered with regard to the following:
  - (a) Permit applications will be processed in accordance with the use proposed, which must meet or be similar to the applicable land use district permitted or discretionary uses listed.





- (b) Portable garages (fabric buildings) and storage structures are considered as accessory buildings or structures and are not to be located:
  - (i) in the front or side yard in any residential land use district, and
  - (ii) shall not be located in the front yard within all other districts.
- (c) A portable garage (fabric building) and storage structure shall not be located within the required setback from a public road or on an easement.
- (d) A portable garage (fabric building) and storage structure shall be setback a minimum 1.22 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (e) All buildings or structures must be securely tethered and anchored to the ground in accordance with provincial Safety Code requirements. Additionally, all fabric covers must be securely tethered to the structures' frame.
- (f) As a condition of a development permit approval, the Development Authority may stipulate specific requirements for the type of fastening or tie-down system and fabric material colour to be applied to the accessory building or structure.
- (g) The Development Authority may limit the permit duration of any of these garages or structures. In such a case, these structures would then be categorized as temporary.

### 36. PRIVATE SWIMMING POOLS

- (1) Private swimming pools shall be classified as an accessory structure.
- (2) Any private swimming pool with a design depth greater than 0.6 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.
- (3) Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but must meet minimum setbacks for accessory structures.
- (4) Construction of an in-ground swimming pool and swimming pools that are attached to or enclosed by a deck require a development permit and are subject to the following additional standards:
  - (a) placement of a swimming pool shall be limited to the side and rear yard only;
  - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
  - (c) permanent swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.



### 37. SATELLITE OR COMMUNICATION ANTENNAS/DISH OF GREATER THAN 0.9 METRE (3 FT.) IN DIAMETER

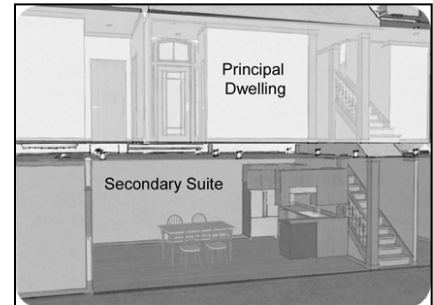
- (1) A satellite dish or communication antenna shall only be located in a rear yard or a side yard which does not abut on a street.
- (2) On an interior lot, a satellite dish antenna shall be situated so that no part of it is closer than 0.9 metre (3 ft.) from the side boundaries of the parcel not abutting a street.
- (3) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building or closer than 0.9 metre (3 ft.) from any boundary of the parcel.
- (4) Where any part of a satellite dish antenna is more than 3.0 metres (10 ft.) above grade level, or when it is located other than described in [Section 37\(1\)](#) above, it shall be both screened and located to the satisfaction of the Municipal Planning Commission or Development Officer.
- (5) No advertising shall be allowed on a satellite dish antenna.
- (6) The illumination of a satellite dish antenna is prohibited.



### 38. SECONDARY SUITES

**Secondary suite** means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

- (1) Only one secondary suite may be developed in conjunction with a principal single-detached dwelling.
- (2) A secondary suite shall be located in a principal dwelling unit or above a detached garage in accordance with the standards.
- (3) Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.
- (4) A secondary suite in a principal dwelling shall only be allowed in the R-1 land use district and shall be regulated in accordance with the standards specified in the applicable district. (Refer to R-1 land use district).



### 39. SERVICE STATIONS AND GAS BARS

The following regulations apply:

#### Site Area (Minimum)

- (1) Site Area (Minimum):
  - (a) Gas Bar: 1,200 m<sup>2</sup> (12,917 sq. ft.)

- (b) Service Station: 1,500 m<sup>2</sup> (16,146 sq. ft.)
- (c) Gas Bar or Service Station including Car Wash: 2,700 m<sup>2</sup> (29,063 sq. ft.)
- (d) Where a service station or gas bar forms part of a shopping centre, the area containing the service station or gas bar buildings and pump areas: 1,000 m<sup>2</sup> (10,764 sq. ft.)
- (e) Where a service station or gas bar is combined with a convenience store: 1,200 m<sup>2</sup> (12,917 sq. ft.)
- (f) Bulk Fuel Station: 2,700 m<sup>2</sup> (29,063 sq. ft.)

### **Setback of Buildings and Structures**

- (2) The Provincial Plumbing and Gas Safety Services Branch shall approve the proposed location(s) and design of all fuel storage tanks prior to application for a development permit.
- (3) The location and installation of the fuel tanks shall be in accordance with the *Fire Protection Act* and Alberta Environment.

The following setbacks shall apply unless otherwise permitted by provincial regulatory authorities:

- (4) Fuel storage tanks shall have the following setbacks from any property lines, abutting masonry building walls, drainage basins and ditches:

#### **Total Tank Capacity Setback**

Up to 7,500 litres	– 3.0 m (10 ft.)
7,501 to 19,000 litres	– 5.0 m (16 ft.)
19,001 to 38,000 litres	– 7.6 m (25 ft.)
Over 38,000 litres	– 10.5 m (35 ft.)

- (5) The minimum front yard shall be 12.19 metres (40 ft.) and no gasoline pumps shall be located closer than 6.10 metres (20 ft.) from the front property line.
- (6) The side and rear yard shall be 6.10 metres (20 ft.) with no intervening pumps or accessories.
- (7) Yard setbacks shall apply to all above ground structures, including gas pump canopies.
- (8) Maximum site coverage shall be 30 percent.

### **Site and Building Requirements**

- (9) All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Development Authority.
- (10) A minimum of 10 percent of the site area of a gas bar and service station under this section shall be landscaped to the satisfaction of the Development Authority.
- (11) The removal of tanks requires a demolition permit from the Development Authority.
- (12) The exits and entrances to the station site shall be clearly marked by curb cuts, painted markings, concrete abutments or any other means satisfactory to the Development Authority.

- (13) An appropriate chain link fence not less than 0.91 metres (3 ft.) high may be required around the property to catch debris and trash.
- (14) The stacking or queuing lanes must be in accordance with [Part 4, Section 20\(23\)](#).
- (15) All automotive or service stations, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.

#### **40. SHIPPING CONTAINERS (OR C-CONTAINERS, SEA-CONTAINERS)**

- (1) Shipping containers shall only be allowed in land use districts where listed as a permitted or discretionary use in the applicable land use district. Shipping containers are prohibited in all other districts.
- (2) Any shipping container shall be subject to the following general standards:
  - (a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view).
  - (b) There shall be a legal primary use on the property where the shipping container is proposed.
  - (c) Shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material.
  - (d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.
  - (e) The Development Authority may regulate the maximum height of shipping containers.
  - (f) The Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.
  - (g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property.
  - (h) The Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.
  - (i) The Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit.
  - (j) Removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit.
- (3) A permanent shipping container is subject to the following additional provisions:



- (a) the maximum lot coverage and setback requirements for accessory structures in the applicable land use district;
  - (b) the shipping container may only be permitted in the secondary front, rear, or side yard;
  - (c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.
- (4) A shipping container (c-container or sea container) placed temporarily on a property in the case of an emergency to temporarily accommodate the storage of goods where a dwelling or building has been damaged in a fire or flood in conjunction with salvation and renovation work being done to a building, does not need a development permit (refer to Part 3) subject to the following provisions:
- (a) Temporary shipping containers associated with situations of fire or flood remediation do not need a development permit if the time period does not exceed 6-months. If additional time is required beyond the 6-months a development permit application must be applied for and approved by the Municipal Planning Commission.
  - (b) Temporary shipping containers for fire or flood remediation without a development permit being required may only be placed on a property in any land use district where it is listed as a permitted use;
  - (c) only one Temporary shipping container shall be placed on a property in any land use district at any one time unless otherwise authorized by the Development Authority;
  - (d) the shipping container associated with situations of fire or flood remediation shall be removed as soon as possible, but for a period not to exceed 14 days, upon completion of remediation work or construction as may be required by the Development Authority;
  - (e) the shipping container shall be sited entirely on the property and shall not encroach over property lines or municipal streets, lanes or sidewalks.
- (5) A shipping (intermodal) container needed for the temporary storage of goods related to interior renovations that are not associated with a situation where a building has been damaged in a fire or flood, or is placed temporarily on a construction site for the period of construction, do require a development permit and are subject to the following provisions and standards:
- (a) a temporary shipping container may only be placed on a property in any land use district where it is listed as a permitted use;
  - (b) the applicant must apply for and be approved for a development permit for a temporary use of a shipping container where it is to temporarily accommodate the storage of goods or materials;
  - (c) the Development Officer is authorized to issue a development permit for a permitted use with a maximum time period not to exceed 6-months. If additional time is required beyond the 6-months, a development permit application must be applied for and approved by the Municipal Planning Commission (MPC). The MPC shall stipulate the maximum time period it approves the temporary shipping container to be placed on the property beyond 6-months;
  - (d) the construction site must be active (i.e., construction has commenced, is on-going, or is about to commence within one week), as the placement of a temporary shipping container on an inactive construction site is prohibited;

- (e) the shipping container shall be removed within 21 days upon completion of construction or sooner as it may be required by the Development Authority;
- (f) setbacks for a temporary shipping container shall be as required by the Development Authority and the container shall be located such that it does not encroach over property lines or into municipal streets, lanes or sidewalks;
- (g) no advertising, other than the logo, name or information of the shipping (intermodal) container or business supplying the container, is permitted to be displaced on the temporary shipping container;
- (h) the Development Officer or Municipal Planning Commission may require at their discretion the provision of a security deposit by the applicant, to ensure the conditions of the development permit are met including the removal of the container at the end of the allowed time period.

#### **41. SOLAR COLLECTOR**

- (1) A solar collector attached to a wall or roof of a building may be permitted in any land use district as an accessory structure subject to the following:
  - (a) A solar collector mounted on a roof:
    - (i) may project a maximum of 1.2 metres (4 ft.) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and
    - (ii) must not extend beyond the outermost edge of the roof.
  - (b) A solar collector mounted to a wall:
    - (i) must be located such that it does not create undue glare on neighbouring property or public roadways;
    - (ii) must be located a minimum of 2.3 metres (7.5 ft.) above grade;
    - (iii) may project a maximum of 1.5 metres (5 ft.) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and
    - (iv) may project a maximum of 0.6 metre (2 ft.) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.
- (2) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall be classified as an accessory use and processed subject to the applicable land use district and the following additional standards:
  - (a) must be located such that it does not create undue glare on neighbouring property or public roadways; and
  - (b) must not exceed 1.83 metres (6 ft.) in height above existing grade.

#### **42. SMALL WIND ENERGY SYSTEMS**

##### **Definitions**

The following definitions apply to this section:

**Blade** means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

**Blade clearance** means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

**Rotor's arc** means the largest circumferential path travelled by a blade.

**Small Wind Energy System (SWES)** means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

**Total height** means the height from grade to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

**Tower** means the structure which supports the rotor above grade.

#### **Permit Requirements**

Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed.

**Type A Small Wind Energy System:** This use is defined as a Small Wind Energy System that is roof mounted any may include a turbine or blade system.

**Type B Small Wind Energy System:** This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 metres (40 ft.) in height.

**Type C Small Wind Energy System:** This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 metres (40 ft.) in height but does not exceed 24.4 metres (80 ft.) in height.

#### **Information Requirements**

- (1) Applications for Small Wind Energy Systems shall include the following information where applicable:
  - (a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number.
  - (b) the manufacturer's specifications indicating:
    - (i) the SWES rated output in kilowatts,
    - (ii) safety features and sound characteristics,
    - (iii) type of material used in tower, blade, and/or rotor construction;
  - (c) potential for electromagnetic interference;
  - (d) nature and function of over speed controls which are provided;

- (e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;
- (f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and
- (g) location of existing buildings or improvements.

#### **Referrals**

- (2) Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Subdivision and Development Authority may refer and consider the input of the following agencies and departments:
  - (a) Alberta Utilities Board,
  - (b) Transport Canada,
  - (c) NavCanada,
  - (d) any other federal or provincial agencies or departments deemed necessary.

#### **Setbacks**

- (3) A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.
- (4) No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 metres (10 ft.) to the property boundaries of the installation site.

#### **Development Standards**

- (5) There shall be a limit of one Small Wind Energy System per parcel.
- (6) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 metres (10 ft.) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:
  - (a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback; and
  - (b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.
- (7) The system's tower shall not exceed a maximum height of 12.2 metres (40 ft.) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 metres (65 ft.) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 metres (80 ft.) on a parcel 2.0 ha (5 acres) or more.
- (8) The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.
- (9) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.



- (10) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.
- (11) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 metres (15 ft.) from ground level unless the system is enclosed by a 1.8-metre (6-ft.) high fence.
- (12) The system's utility lines shall be underground where economically practical.
- (13) The system shall be operated such that no electro-magnetic interference is caused.
- (14) The system's maximum power shall not exceed 3 kW.
- (15) The system shall be located in the rear or side yard.
- (16) Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.
- (17) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.
- (18) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

#### **Review of Permits**

- (19) Town Council may review the impacts of issuance of permits for Small Wind Energy Systems after the issuance of 10 total SWES development permits, or 5 Type B & C towers, for this specific use within the municipality. Approval of any such uses after this threshold must consider cumulative and aesthetic impacts, and applications may be denied where it is considered to negatively impact neighbouring properties.

### **43. TELECOMMUNICATION ANTENNA SITING PROTOCOLS**

Telecommunication, radio communication and broadcast antenna systems are regulated by Industry Canada. An applicant proposing to locate a telecommunication, radio communication or broadcast antenna system within the Town, which does not meet the exclusion criteria in Appendix A shall be subject to the Siting Protocol process as stipulated in Appendix A. The Telecommunication Antenna Siting Protocol Application form and applicable fee must be submitted by the proponent to the Development Authority who will determine if the municipality will grant a letter of concurrence or non-concurrence.

See [Appendix C](#) – Telecommunication, Radiocommunication and Broadcasting Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol.

### **44. CANNABIS PRODUCTION FACILITY**

The requirements of this section apply to cannabis production facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada's and the

federal *Cannabis Act* and *Access to Cannabis for Medical Purposes Regulations (ACMPR)*, and any other federal and provincial government regulation.

- (1) The owner or applicant must provide as a condition of development permit approval a copy of the current authorized licence by Health Canada for all activities associated for a Cannabis Production Facility/plant (either a medical, recreational or combination thereof), as issued by the federal government.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (4) The development shall not operate in conjunction with another approved use.
- (5) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (6) The development must include equipment designed and intended to remove odours and particulates from the air where it is discharged from the building as part of a ventilation system.
- (7) A Cannabis Production Facility shall not be located on a parcel of land that is adjacent to or within 350 metres of a parcel used for a school, daycare or similar use associated with the caring or congregation of children or minors.
- (8) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes detail on:
  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material.

#### **45. RETAIL CANNABIS STORE**

##### **Use Eligibility**

- (1) Retail Cannabis Store uses may only be permitted on a parcel of land designated as Direct Control for that specific land use. The proponents of an application for a proposed Retail Cannabis Store must apply to Town Council for a redesignation to the Direct Control land use district.
- (2) The Direct Control bylaw for a proposed Retail Cannabis Store shall reflect that Council has the sole authority to make decisions on development permits for Retail Cannabis Stores.
- (3) Council for the Town of Picture Butte will consider, amongst other matters, the following criteria in making a determination of the suitability of a site or building for a Retail Cannabis Store. Council, at their discretion acting in the role of Development Authority, shall apply any standards or conditions they determine necessary which shall be applied to the issuance of any development permit for the said use.

### **Direct Control Redesignation Requirements**

- (4) The applicant must submit details of the proposed store location and a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites [as outlined in [Section 45\(6\)](#) below] within 200 m (drawn on a high quality and clearly legible site plan with text descriptions).
- (5) The Town of Picture Butte Council may require neighbourhood consultation to be conducted by the applicant. If a public consultation process is requested, the applicant must then provide to Council a description of when and what type of consultation was carried-out by the proponent and a general summary of the public input provided on the proposal (and a complete description of any objections or concerns raised).
- (6) Council may take into account, amongst other matters, the following factors when making a decision respecting an application to redesignate premises for a Retail Cannabis Store:
  - (a) the extent and nature of opposition from community members or groups to establishment of a Retail Cannabis Store in a particular location; and
  - (b) the suitability of the site in relation to adjacent land uses or other uses in proximity (200 m or less) to the proposed Retail Cannabis Store site.
- (7) The applicant must demonstrate to Council's satisfaction how the site and proposal conforms to the criteria as stipulated.
- (8) Council may consider that a site for a Retail Cannabis Store shall not be approved for redesignation or issued a development permit if the premises is located within a 200 metre separation distance of:
  - (a) the boundary of a parcel of land on which a provincial health care facility is located; or
  - (b) the boundary of a parcel of land containing a school (public or private) facility; or
  - (c) the boundary of a parcel of land containing an approved child or daycare facility; or
  - (d) the boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the *MGA*; or
  - (e) the boundary of a parcel of land containing a municipal park or playground facility, if the land is not designated as a school reserve or municipal and school reserve under the *MGA*; or
  - (f) the boundary of the parcel of land of which contains a church, community centre, library or recreation facility where persons under 18 years of age may attend or congregate.
- (9) Additionally, a Retail Cannabis Store shall not be approved for a development permit if the premises is located within the distance of (as measured wall to wall of the buildings):
  - (a) 100 metres of a building containing a separate Retail Cannabis Store that has been approved (in the absence of any provincial set of rules regarding how closely the standalone stores will be allowed to operate to one another, otherwise the provincial rules apply); and
  - (b) 50 metres of a building containing a licensed liquor store.

- (10) The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility, church, recreation facility, etc.) applying for development permit locating in proximity of established Retail Cannabis Stores.

### **Development Permit Application Requirements**

In addition to the development application requirements as stipulated in [Section 25](#) of the 'Administration' section of the Land Use Bylaw, the following additional requirements for an application for a development permit for a Retail Cannabis Store must also be provided when requested by the Development Authority to present to Council to make a decision.

- (11) If a redesignation to the Direct Control land use district is granted, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application for a municipal development permit for a Retail Cannabis Store.
- (12) All Retail Cannabis Stores approved for a development permit must obtain a Retail Cannabis Store license from the AGLC and failure to secure an AGLC license will make the local development permit approval null and void. Proof of provincial license (for a Retail Cannabis Store) shall be required as a condition of a development permit approval.

### **Development Criteria and Standards**

- (13) In issuing a development permit for a Retail Cannabis Store, consideration will be given by Council to the following criteria and applicable conditions:
- (a) A Retail Cannabis Store must be a separate use from any other business activities (i.e. non-Cannabis store) unless it is an activity or use expressly authorized by the AGLC.
  - (b) Maximum hours of operation, applicable to all approved Retail Cannabis Store operations, shall be limited between 11:00 a.m. and 10:00 p.m. which will be placed as a condition on a development permit approval, unless Council decides otherwise.
  - (c) All signage, including the contents, must comply with the Land Use Bylaw [Part 5, Sign Regulations](#), and municipal development permit approval is required. The applicant/developer is also responsible to ensure any signage and its message contents comply with all federal and provincial requirements, including AGLC policies.
  - (d) All parking requirements shall be provided in accordance with [Part 4, Standards of Development, Section 20](#) of the bylaw, and shall be deemed to be similar to other 'retail and service commercial' uses for determining the number and size of the required parking spaces.
  - (e) If an approved Retail Cannabis Store's existing AGLC license expires, the business must provide verification to the municipality that a new license has been obtained within 12 months of the expiry date, otherwise, the use will be deemed to have been discontinued and any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.
  - (f) Council, acting as the Development Authority may, as a condition of approval on a development permit, specify a time limit on the development permit in regards to its validity, which may be considered a temporary use. At the time of expiry, the

applicant/developer must reapply to the municipality for a development permit approval to continue the use.

- (g) A developer/operator of a Retail Cannabis Store is responsible for meeting and adhering to all provincial requirements for the physical security for the premises.
- (h) The design and construction of a Retail Cannabis Store must meet all provincial building code requirements.



## PART 5

### SIGN REGULATIONS





# PART 5

## SIGN REGULATIONS

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This Part prescribes requirements for signs, and sign owner responsibilities. It also contains regulations pertaining to safety of the signs installation and requirements for specific types of signs. The intent of this Part is to ensure that safe, well-designed and aesthetically pleasing signs are located within the Town.

### 1. ADMINISTRATION

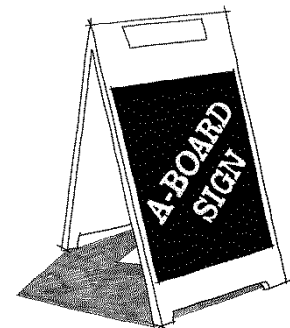
- (1) Unless otherwise provided for, this schedule applies to all signs within the Town of Picture Butte.
- (2) No one shall erect, place, or alter a sign without having first obtained a development permit from the Development Authority in accordance with the provisions of this Bylaw, unless otherwise exempted in [Section 2](#) of this Part.
- (3) For the purpose of administering the standards of this Bylaw and signage regulations in accordance with the land use districts, the following categories shall apply:
  - **Type 1 signs** – A-board, directional, fascia, projecting (canopy, roof, overhanging, shingle), portable, electronic display or animated/changing copy, political/election, real estate, garage sale, sidewalk, temporary, window, subdivision identification fascia or shingle for home occupations, exit/entrance signs.
  - **Type 2 signs** – Balloon, freestanding, mural, all other not included as Type 1.

### 2. SIGNS NOT REQUIRING A PERMIT

No development permit is required for the following types of signs:

- (a) construction company signs, provided such signs are removed within 14 days of the completion of construction;
- (b) signs of public buildings;
- (c) signs, notices, placards, or bulletins required to be displayed:
  - (i) in accordance with the provisions of federal, provincial, or municipal legislation;
  - (ii) by or on behalf of the federal, provincial, or municipal government;
  - (iii) on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government;
- (d) political posters, provided all such signs are removed within 14 days after the completion of the relevant election or plebiscite;
- (e) real estate signs, provided all such signs are removed within 30 days after the sale or lease of the premises upon which the sign is located;

- (f) residence identification signs, which state no more than the name and/or address of the person(s) occupying the lot, provided the sign is no greater than 0.2 m<sup>2</sup> (2 sq. ft.) in area;
- (g) banner or balloon signs which are displayed for a period of time not exceeding 30 days;
- (h) signs approved in conjunction with a home occupation permit;
- (i) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale;
- (j) on-premises directional and information signs and incidental signs, 0.2 m<sup>2</sup> (2 sq. ft.) or less in area;
- (k) any traffic or directional and information signs erected by the Town of Picture Butte or the Alberta Government or the Federal Government;
- (l) any community service bulletin board erected by the Town of Picture Butte and any notices posted on the bulletin board;
- (m) any window sign posted on the interior of the premises;
- (n) entrance or exit signs used for the purpose of directing traffic providing:
  - (i) those signs do not display any advertising message, other than a business logo,
  - (ii) the sign area does not exceed 0.9 m<sup>2</sup> (10 sq. ft.) in area, and
  - (iii) the sign height does not exceed 1.2 metres (4 ft.);
- (o) A-board signs (see figure) where the owner of the sign submits written authorization from the owner of the land where the sign is to be located and where the sign is removed from that location on a daily basis;
- (p) the alteration of a lawful sign which only includes routine maintenance, painting or change in face, content, copy or lettering and does not include modification to the sign structure, location, dimensions or projection style;
- (q) any sign appearing on street furniture, such as benches or garbage containers, that are located on private property; and
- (r) any sign appearing on street furniture, such as benches or garbage containers, that are located on public land if an agreement to locate the street furniture has been reached with Council;



provided all such signs are suitably maintained to the satisfaction of the Development Officer and the Municipal Planning Commission.

### 3. PROHIBITED SIGNS

The following signs are prohibited:

- (a) signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, sign projection styles or animation;
- (b) signs which emit amplified sounds or music;

- (c) in any residential district, signs that employ animation or changeable content as the projection style;
- (d) in any non-residential district, signs that employ changeable content, animation or pictorial scenes at a luminosity, intensity and/or interval which may create a public hazard or nuisance;
- (e) any sign containing electronic display, animation, changeable content or movement shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or facility, school, or any level of government;
- (f) any signs located within the public right-of-way or on public property, except for signs approved by the Town of Picture Butte or signs approved by the Province of Alberta or Federal Government;
- (g) signs that are attached to or appearing on any vehicle or trailer which is parked on a public right of way or any other public lands or on private land that is located adjacent to a public right of way excepting thereout signs for special events organized by a non-profit association, group or organization for a display time period not to exceed 24 hours;
- (h) billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses or services licensed to operate in the Town of Picture Butte, charitable organizations or service clubs;
- (i) any sign which has not obtained a development permit or any sign which has not been deemed exempt from the requirement of obtaining a development permit as per this sign schedule (see [Section 2](#) of this Part – *Signs Not Requiring a Development Permit*).

#### **4. APPLICATION REQUIREMENTS**

All development permit applications for a sign shall:

- (a) be submitted to the Development Officer;
- (b) include a description of the proposal and a plan drawn to a suitable scale and photographs, if available, illustrating:
  - (i) the location of all existing and proposed sign(s);
  - (ii) the size, height, and other dimensions of the proposed sign(s), including any supporting structures and if the application is for a sign with Electronic Display, the percentage of the facade that will be covered by the sign;
  - (iii) the location of the property boundaries of the parcel upon which the proposed sign(s) are to be located;
  - (iv) details with respect to sign content (i.e. wording/lettering, text, message, graphics, etc.);
  - (v) the materials and finish proposed for the sign(s);
  - (vi) type of electronic display, illumination, animation, and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval; and
  - (vii) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.

## 5. GENERAL STANDARDS FOR SIGNS

The following regulations shall be applied to all signs:

- (1) All signs shall, in the opinion of the Development Officer or Municipal Planning Commission, be of quality construction and of a design suitable for public display.
- (2) All signs shall be maintained in good repair and a safe and tidy manner to the satisfaction of the Development Officer and the Municipal Planning Commission.
- (3) No sign shall be placed in a public road or laneway or sited in such a manner that, in the opinion of the Development Officer or Municipal Planning Commission, causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.
- (4) The source of light for any illuminated sign shall be steady and suitably shielded to the satisfaction of the Development Officer and the Municipal Planning Commission.
- (5) No sign shall be located or placed in such a manner that, in the opinion of the Development Officer or Municipal Planning Commission, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility.
- (6) Signs may locate within the setback requirements of a land use district if it does not interfere with visibility at an intersection and complies with other sign requirements of [Part 5](#).
- (7) Unless otherwise specified in this Part, the maximum number of primary signs permitted on a lot with single frontage is three and with two or more frontages, five. These primary signs may consist of the following types of signs or a combination thereof:
  - (a) freestanding,
  - (b) existing projecting and overhanging,
  - (c) fascia,
  - (d) canopy,
  - (e) roof,except as provided under [Section 10](#), Multi-tenant Signs.
- (8) The maximum sign area of all signs, not including portable signs, that may be located on a lot with single frontage is 13.9 m<sup>2</sup> (150 sq. ft.) and with two or more frontages is 18.6 m<sup>2</sup> (200 sq. ft.), except as provided under [Section 10](#), Multi-tenant Signs.
- (9) Unless otherwise specified, a development permit application is required for all signs. Application is made using the [Sign Development Permit Application in Appendix B](#), unless specifically exempt under [Section 2](#), Signs Not Requiring a Permit.
- (10) Except for fascia or canopy signs as provided for in this Bylaw, no signs projecting or overhanging public property shall be permitted.
- (11) Where a sign overhangs public property, the owner shall provide a save harmless agreement with the Town of Picture Butte and register the agreement on the title of the property.
- (12) A business or building owner shall remove a derelict business signage visible copy and image area within 30 days of the business ceasing operations within the town.

## 6. PORTABLE SIGNS

- (1) The copy area of a portable sign shall not exceed 3.7 m<sup>2</sup> (40 sq. ft.).
- (2) No more than one portable sign per frontage or where there are two or more frontages, a total of two portable signs may be located on a single lot or premises, except in a designated tourism sign area where more than two portable signs may be located at the discretion of the Development Officer or the Municipal Planning Commission.
- (3) No portable sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is sited without the approval of the Development Officer or the Municipal Planning Commission.
- (4) A development permit for a portable sign will be valid for a period of no longer than 120 days in a calendar year.
- (5) Portable signs may be off-premises signs under [Section 7](#), Off-Premises Signs.
- (6) The Development Officer or Municipal Planning Commission must approve the location of the portable sign on the premises having regard for location of power supply, parking pattern on the site or other site constraints.
- (7) Portable signs shall not be allowed in any residential land use district unless placed on Town boulevards or property and permission has been obtained from the municipality.



## 7. OFF-PREMISES SIGNS

- (1) The sign area of any third-party and off-premises signs visible from a roadway shall not exceed:
  - (a) 2.3 m<sup>2</sup> (25 sq. ft.) where the speed limit is no greater than 50 km per hour; and
  - (b) 4.6 m<sup>2</sup> (50 sq. ft.) where the speed limit is greater than 50 km per hour but not greater than 70 km per hour.
- (2) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Picture Butte or that are members of the Picture Butte and District Chamber of Commerce, charitable organizations or service clubs.
- (3) All third-party and off-premises signs shall comply with all other provisions of this Bylaw unless specifically exempted.

## 8. TEMPORARY SIGNS

- (1) All temporary signs require a Development Permit except those signs exempted in [Section 2](#).

- (2) A development permit for a temporary sign will be valid for a period of no longer than 60 days, other than a portable sign" which may be allowed for 120 days maximum.
- (3) The Development Officer is satisfied that any political posters, real estate signs, third-party signs or other signs located on a boulevard have not been objected to by any residents or land owners adjacent to said boulevard, will not create a traffic hazard or obstruct the public's view of any other signs.
- (4) No temporary signs shall be suspended on or between support columns of any freestanding sign.
- (5) No posters or signs shall be placed on any public utility such as a power pole.
- (6) No posters or signs shall be placed on town street name signs.
- (7) The Development Authority must only approve the location of the temporary sign on the premises after having given due consideration for the location of power supply, sight lines visibility, parking pattern on the site and/or any other site specific development constraints that the Development Authority considers relevant.
- (8) The copy area of a temporary sign shall not exceed 3.7 m<sup>2</sup> (40 sq. ft.).

## 9. PROJECTING SIGNS (CANOPY, ROOF, PROJECTING, SHINGLE, OVERHANGING)

Projecting signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

### Canopy Signs

- (1) The copy area of a canopy sign shall not exceed 9.3 m<sup>2</sup> (100 sq. ft.).
- (2) No more than one canopy sign per frontage or, where there are two or more frontages, a total of two such signs may be located on a single lot or premises, where more than one tenant occupies the premises (see [Section 10](#), Multi-tenant Signs).
- (3) Approval of any canopy signs overhanging public land under [Part 5](#) is conditional upon the owners and/or occupiers of the premises upon which said sign is located providing to the Town of Picture Butte a written waiver of liability as authorized by Council or an indemnification agreement for any injury or damage resulting from said sign.
- (4) No part of a canopy sign, exclusive of any supports, shall be less than 2.7 metres (9 ft.) above ground or sidewalk grade.
- (5) No part of a canopy sign shall project more than 1.5 metres (5 ft.) over any public place or extend within 0.9 metres (3 ft.) of the edge of a curb or a roadway.



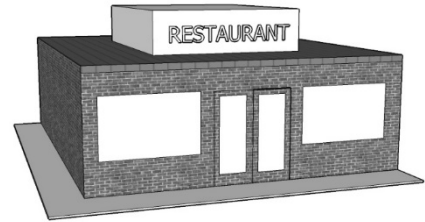
### Projecting Signs

- (6) No part of a sign shall project more than 1.5 metres (5 ft.) over a public sidewalk or within 0.9 metre (3 ft.) of a curb adjoining a public roadway.

- (7) Projecting signs shall be placed:
  - (a) at right angles to the building face to which they will be attached, or
  - (b) in the case of corner sites, placed at equal angles to the building faces that form the corner.
- (8) Projecting signs shall have a minimum vertical clearance of 2.4 metres (8 ft.) measured between the lower sign edge and grade.

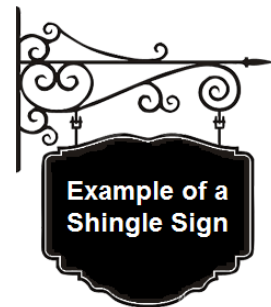
#### **Roof Signs**

- (9) No more than one roof sign per building shall be permitted.
- (10) A roof sign shall not project more than 3.0 metres (10 ft.) above the highest point of the roof.
- (11) The sign shall not be placed on the sloped portion of a roof.
- (12) The display surface of a roof sign shall not exceed 8.4 m<sup>2</sup> (90 sq. ft.).
- (13) Where the roof sign display surfaces are back-to-back in a common structure, it shall be construed to be a single sign.
- (14) Every roof sign shall be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building, unless otherwise directed by the Development Authority.
- (15) No roof sign shall extend beyond the ends or sides of the building.
- (16) Multi-tenant roof signs may be considered by the Development Authority, provided the advertising is located on one roof sign only.



#### **Shingle Signs**

- (17) In all Residential land use districts, a shingle sign associated with a home occupation shall:
  - (a) be limited to one sign, which may be a shingle type projecting sign on the premises of an approved home occupation use; and
  - (b) not exceed 0.4 m<sup>2</sup> (4 sq. ft.) in area.
- (18) In all non-residential land use districts, shingle signs shall be subject to the projecting sign standards, [Sections 9\(6\) through 9\(8\)](#).



### **10. MULTI-TENANT SIGNS**

- (1) A maximum of one secondary sign per business or service is permitted.
- (2) The sign area of all secondary signs shall not exceed 20 percent of the maximum allowable sign area for the principal sign.

- (3) For the purpose of calculations contained in [Section 5](#), General Standards for Signs, secondary signs shall not be included.

## 11. DIRECTIONAL AND INFORMATIONAL SIGNS

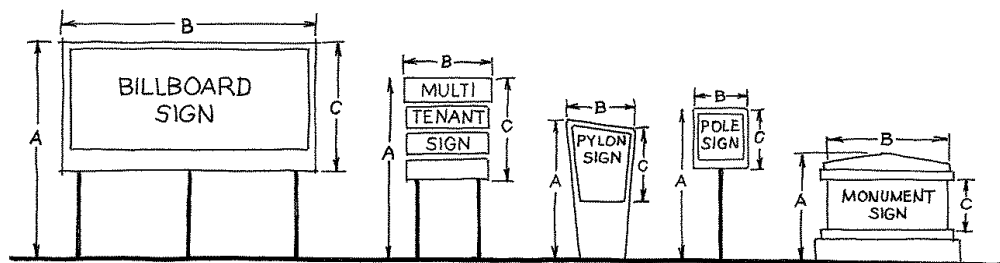
Directional and informational signs up to a maximum of 0.2 m<sup>2</sup> (2 sq. ft.) is not included in the calculations contained in [Section 5](#), General Standards for Signs (see [Section 2](#), Signs Not Requiring a Permit).

## 12. WINDOW SIGNS

- (1) Window signs are not included in the calculations contained in [Section 5](#), General Standards for Signs (see [Section 2](#), Signs Not Requiring a Permit).
- (2) Window signs shall not cover more than 50 percent of the surface area of the window.

## 13. FREESTANDING SIGNS

- (1) All freestanding signs require a development permit except those signs exempted in [Section 2](#).
- (2) No more than one freestanding sign per frontage or a total of two freestanding signs shall be located on a single lot or premises with two or more frontages.
- (3) No freestanding sign shall exceed 7.6 metres (25 ft.) in height.
- (4) All freestanding signs shall be completely located on the same lot as the use being advertised, with the exception of off-premises signs approved in accordance with the provisions of [Part 5](#).
- (5) With the exception of directional and informational signs, any part of a freestanding sign that extends beyond the support column or between two support columns shall be 2.7 metres (9 ft.) above ground or sidewalk grade.
- (6) No temporary signs shall be suspended on or between support columns of any freestanding sign.
- (7) The total sign area for each face shall not exceed 7.0 m<sup>2</sup> (75 sq. ft.). Sign area is depicted in figure below as dimension B multiplied by dimension C.



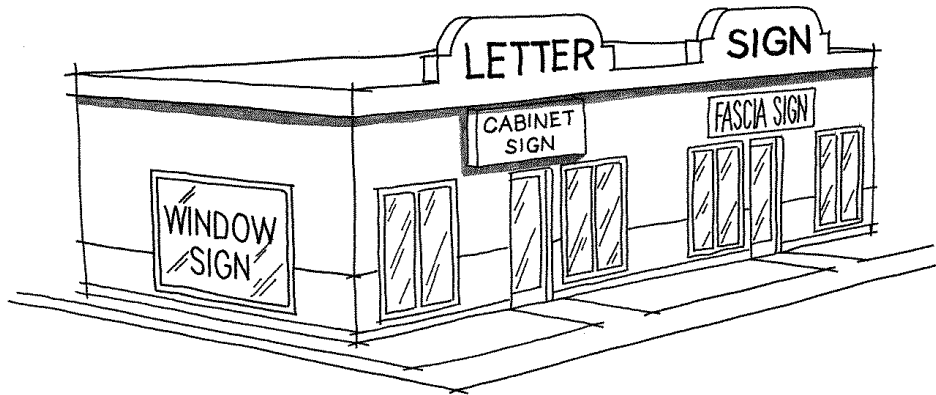
- (8) Billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte, or are members of the Picture Butte and District Chamber of Commerce are not permitted.



#### 14. FASCIA

Fascia signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

- (1) All fascia signs require a development permit except those signs exempted in [Section 2](#).
- (2) No more than one fascia per frontage or where there are two or more frontages, a total of two such signs may be permitted.
- (3) The sign area of a fascia for a commercial or industrial use shall not exceed 9.3 m<sup>2</sup> (100 sq. ft.).
- (4) A fascia sign shall not project more than 0.3 metre (1 ft.) from the face of a building.
- (5) Whenever there is a band of several fascia, they should be of a consistent size and located near the same level as other similar signs on the premises and adjacent buildings.
- (6) For a multi-use or multi-bay mixed commercial building, the total maximum sign area permitted for fascia signs is 20 percent of the area formed by each building face or bay.



#### Mural Signs

- (7) No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Planning Commission.
- (8) The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.
- (9) The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.
- (10) Display of text, including a business name or commercial message, within a mural shall not exceed 10 percent coverage of the wall surface area, up to a maximum coverage size of 9.3 m<sup>2</sup> (100 sq. ft.).

## 15. ELECTRONIC DISPLAY SIGNS

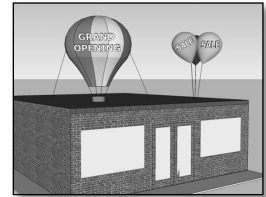
- (1) No more than one digital sign may be permitted on a single parcel.
- (2) Any sign containing Electronic Display shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or organization, school, or the municipality and complies with all other sign regulations.
- (3) Electronic Display content shall only be allowed on fascia signs in compliance with this Bylaw.
- (4) The sign area of a sign with Electronic Display shall not exceed 10% of the size of the total building façade on which the sign will be installed, to a maximum of 4.6 m<sup>2</sup> (50 sq. ft.).
- (5) Signs with Electronic Display must not be on a building façade that directly faces a residential land use district.
- (6) Signs with Electronic Display may include on-premises advertising and/or off-premises advertising for businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte or are members of the Picture Butte and District Chamber of Commerce only, in compliance with Section 7(2) of this Part 5 of this Bylaw.
- (7) Electronic Display content must remain in place unchanged for a minimum of 10.0 seconds before switching to new content.
- (8) The maximum transition time between each different Electronic Display on a sign is 0.25 seconds.
- (9) The transition between each Electronic Display must not involve any visible effects, including but not limited to action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (10) Electronic Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (11) A sign featuring Electronic Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic Display feature is functioning, as measured from the sign face at its maximum brightness:
  - a) A maximum of 7,500 nits from sunrise to sunset, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
  - b) A maximum of 500 nits from sunset to sunrise, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
  - c) The light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.

- (12) If a Development Authority determines that the brightness or light level of an Electronic Display exceeds the limits set out in subsection (11) of this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.
- (13) If any component of an Electronic Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic Display is turned off until all components are fixed and operating in compliance.
- (14) The Development Permit holder for a sign featuring an Electronic Display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.
- (15) Any sign that is illuminated, animated, or a digital and electronic message board (changeable copy) located within 304.8 metres (1,000 ft.) of a provincial highway right-of-way or within 800 metres (2,625 ft.) of the centreline of a highway and a public road intersection must be approved by Alberta Transportation.

## 16. BALLOON SIGNS

Notwithstanding that no permit is required in accordance with [Section 2](#) of this Part, a balloon sign shall:

- (a) not be permitted in any residential land use district;
- (b) be securely anchored or fastened to wind resistant ground structures or building fasteners; and
- (c) not be located within the public right-of-way, and not hinder or obstruct pedestrian or vehicle traffic.



## 17. OTHER SIGNS

When a sign cannot be clearly categorized as one of the sign types as defined in this Bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

## 18. SIGN DEFINITIONS

For the purpose of the Land Use Bylaw and this schedule, the following definitions apply:

**A-BOARD** means a portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person. See [Section 10 – Portable Signs](#).

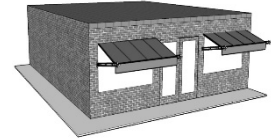


**ABANDONED SIGN** means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

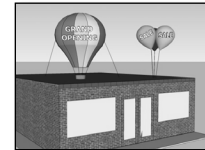
**ANIMATION** means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.



**AWNING** means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.



**BALLOON SIGN** means any inflatable device used or employed as a sign that is anchored to the ground or to a building or structure.



**BANNER SIGN** means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.



**BILLBOARD SIGN** means a freestanding structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

**CANOPY** means a permanent fixture fitted over windows and doors and used for either shelter, advertising or decoration.

**CANOPY SIGN** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

**CHANGEABLE CONTENT** means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.



Mechanical



Electronic

**CONSTRUCTION SIGN** means a temporary sign which is placed on a site to advertise items such as the provision of labour, services, materials or financing on a construction project.

**DIRECTIONAL AND INFORMATION SIGN** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.



**ELECTRONIC DISPLAY** means sign copy displayed using electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology. Electronic display signs are also commonly called digital signs.

**FASCIA SIGN** means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.30 metre (1 ft.) from the building.

**FREESTANDING SIGN** means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade.

**FRONTAGE** means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

**HOME OCCUPATION SIGN** means a sign advertising a home occupation approved under the provisions of the Land Use Bylaw.

**LUMINOSITY** means the measurement of brightness.

**MULTI-TENANT SIGN** means any type of sign that may contain sign content that advertises more than one tenant and/or business. See [Sections 9 through 14 of this Part](#) for applicable sign type: e.g. freestanding sign, billboard sign, portable sign, etc.

**MURAL SIGN** means any picture, scene, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction.

**OFF-PREMISES SIGN** means any type of sign that may contain sign content that advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**OFF-PREMISES SIGN CONTENT** means sign content which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**ON-PREMISES SIGN CONTENT** means sign content which advertises a service, product or activity conducted, sold or offered on the property that the sign is located.

**OTHER SIGN** means any sign that is not defined as a canopy sign, fascia sign, freestanding sign or portable sign.

**OVERHANGING** means that which projects over any part of any street, lane or other municipally owned property.

**PARAPET** means the extension of a false front wall above a roof line.

**POLITICAL POSTER SIGN** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

**PORTABLE SIGN** means a sign that is not permanently affixed to a building, structure, or the ground and does not include A-Board signs as defined in this Bylaw.

**PROJECTING SIGN** means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.30 metre (1 ft.) horizontally from a structure or building face.

**REAL ESTATE SIGN** means a sign advertising real estate (i.e. property) that is for sale, for lease, or for rent or for real estate that has been sold.

**RESIDENCY IDENTIFICATION SIGN** means a sign located on a lot in a residential district that provides for the name and/or address of the owner or occupant of a dwelling.

**ROOF SIGN** means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

**ROTATING SIGN** means a sign or portion of a sign which moves in a revolving manner. See Sections 7 through 10 of this Part for applicable sign type requirements: e.g. freestanding sign, billboard sign, portable sign.

**SHINGLE SIGN** means a small sign which is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building and are typically found in pedestrian oriented environments such as a downtown and/or historic district.

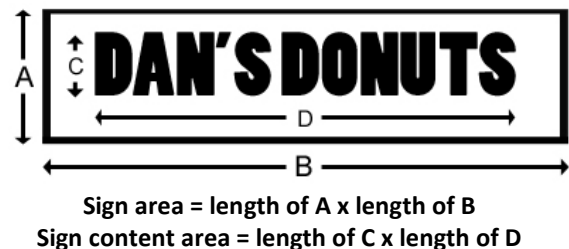
**SIGN** means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, object or event.

**SIGN ALTERATION** means the structural and/or projection style modification of a sign but does not include the routine maintenance, painting or change in face, content, copy or lettering.

**SIGN AREA** means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. See figure below.

**SIGN CONTENT** means the wording/lettering, message, graphics or content displayed on a sign.

**SIGN CONTENT AREA** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.



**SIGN HEIGHT** means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

**SIGN ILLUMINATION** means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign.

**SIGN PROJECTION STYLE** means the method by which the sign content is conveyed to the viewer (e.g. lettering/logo, animation, changeable content, movement/motion).

**SIGN TYPE** means the type of structure of a sign (e.g. billboard, freestanding, portable, etc.) used to convey sign content.

**TEMPORARY SIGN** means any sign permitted, designed or intended to be displayed for a short period of time (not to exceed 30 days), not including portable signs, however including balloon signs, developer marketing signs, land use classification signs, construction signs, political poster signs, window signs, banner signs, A-board signs or any other sign that is not permanently attached to a building, structure or the ground.

**VEHICLE SIGN** means a sign attached to, painted on or installed on a vehicle other than a public transportation vehicle, taxi cab or school bus.

**WINDOW SIGN** means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.





## PART 6

### DEFINITIONS



# PART 6

## DEFINITIONS

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### A

**Accessory building** means any building:

- (a) which is separate from the principal building on the lot on which both are located, and the use of which the Municipal Planning Commission decides is normally subordinate and incidental to that of the principal building; or
- (b) the use of which the Municipal Planning Commission decides is normally subordinate and incidental to the principal use of the site on which it is located.

**Accessory structure** means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

**Accessory use** means a use of a building or site which the Development Officer decides is normally subordinate and incidental to the principal use of the building or site.

**Addition** means adding onto an existing building, provided that there are no major structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

**Amusement facility** means a building or facility where four or more mechanical or electronic games are kept or indoor games are commercially offered such as arcades, bowling alleys, video gaming rooms, mini-putting or putting greens, for the purpose of furnishing entertainment or amusement to the public for a fee.

**Animal grooming facility** means development for the on-site treatment or grooming of small domestic animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. Examples include pet grooming salons.

**Apartment building or dwelling** means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

**Applicant** means the registered owner of the land or his or her representative or agent certified as such.

**Approved use** means a use of land and/or building for which a development permit has been issued by the Development Officer or the Municipal Planning Commission.

**Area structure plan** means a statutory plan in accordance with the *MGA* and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

**Auto body and paint shop** means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

**Auto sales and service** means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

## B

**Bakery** means a facility where baked food products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

**Bank** means a financial institution for the deposit, custody, loan, exchange or issuance of money or financial services or products are commercially dealt with.

**Basement** means the lowest storey of a building, partly or wholly below grade.

**Bay** means a self-contained unit or part of a building which can be sold or leased for individual occupancy.

**Bay window** means a window or series of windows projecting from the outer wall of a building and forming a recess within.

**Bed and breakfast** means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.

**Belt course** means a horizontal band forming part of an interior or exterior architectural composition.

**Berm** means an earthen or dyke-like form used to separate incompatible areas or functions, or constructed to protect or shield the site, use or district from noise, vehicular road noise, or visual blights.

**Billboard** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.

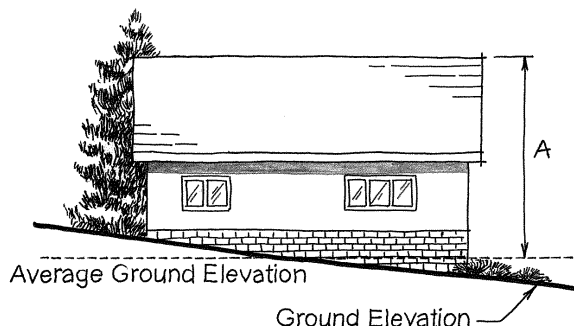
**Boarding house** means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where means or lodging for 5 or more persons are provided for compensation pursuant to previous arrangements or agreement.

**Buffer** means a row of trees, hedges, shrubs or berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

**Buildable area** means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions, utility right-of-way or easements, and separation distances have been deducted.

**Building** has the same meaning as it has in the *MGA*.

**Building height** means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.



**Building inspector** means the person or persons appointed by the municipality to be the chief building inspector or building inspectors in and for the Town of Picture Butte.

**Building massing** means the volume, height, location and orientation of a building.

**Building permit** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

**Building scale** refers to building elements and details as they proportionally relate to each other and to humans.

**Building site** means a portion of land that is the subject of a development application on which a building can or may be constructed.

**Building supplies** means a commercial retail store where lumber, building materials, hardware, household accessories and other related goods are stored and/or offered for sale and may include outside storage.

**Bulk fuel station** means a facility for the purpose of storing fuel for distribution to customers or businesses and does not include a service station.

## C

**Cannabis** means a plant *Cannabis sativa*, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, and any substance or mixture of substances that contains or has on it any part of such a plant; and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant.

**Cannabis production facility** means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested, destroyed, stored or loaded for

shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time.

**Canopy sign** means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

**Carport** means a partially enclosed structure intended for the shelter of one or more motor vehicles. Enclosure is limited to the roof and to a height of not greater than 0.9 metres (3 ft.) above the ground or finished surface of the carport.

**Clubs and organizations** means development used for the meeting, social or recreational activities of members of a normally non-profit philanthropic, social service, community, athletic, business, religious or fraternal organization, without on-site residences. Clubs and fraternal organizations may include rooms for eating, drinking and assembly.

**Common wall** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**Community facilities** means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.

**Comprehensive development** means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

**Condominium** means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

**Construction or building trade shop** means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

**Contractor** means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

**Convenience store** means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which typically do not exceed 400 m<sup>2</sup> (4,305 sq. ft.) in gross floor area. This use does not include Retail Cannabis Store which is a separate use.

**Copy area** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

**Corner lot** means a lot located at the intersection or junction of two or more streets.

**Cornice** means the top course of a wall when treated as a finish or crowning member.

**Council** means the Council of the Town of Picture Butte in the Province of Alberta.

# D

**Day care facility** means a provincially licensed facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

**Day home** means the provision of care or supervision of individuals, either children or adults, within a private dwelling for a period not exceeding 24 consecutive hours and with no more than 6 clients per day.

**Deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building. Other specific deck meanings include the following:

- (a) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.
- (b) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (c) A **ground level patio** means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.

**Development Officer** means a person authorized by Council to act as a development authority pursuant to [Part 1, Section 6](#) and in accordance with the Development Authority Bylaw.

**Development agreement** means an agreement between the developer and the municipality to:

- (a) construct or pay for the construction of public roadways or parking areas;
- (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
- (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

**Demolition** means any act or process that destroys or removes in part or in whole a building or structure.

**Density** means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

**Developer** means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use or cause to be located or constructed on the property buildings or structures.

**Development** has the same meaning as it has in the *MGA*.

**Development agreement** means a contractual agreement completed between the municipality and an applicant for a development permit which specifies the public roadways, utilities and other services to be provided by the developer as a condition of development approval or subdivision approval, provided the agreement is in accordance with sections 648, 650, 654 and 655 of the *MGA*, as amended.

**Development area** means the area to be occupied by a building plus the reasonable area required for excavation and construction.

**Development Authority** means the Municipal Planning Commission, except in such instances whereby the designated or development officer may be the Development Authority, in accordance with this Bylaw.

**Development permit** means a document issued pursuant to this Bylaw authorizing a development.

**Directional and information sign** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

**Discretionary use** means the use of land or building(s) provided for in the Land Use Bylaw for which a development permit may be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

**District** means a defined area of a municipality as set out in the land use district Parts of uses and indicated on the Land Use Districts Map.

**Drive-in business** means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

**Drive-in food service** means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

**Drive-in restaurant** means a restaurant which offers car attendant service or drive-through pick-up service.

**Dwelling unit** means a building or portion thereof designated or used exclusively as the living quarters (construed as including sleeping, cooking and toilet facilities) for one family.

## E

**Easement** means a right held by one party in land owned by another.

**Exotic animals** means bison, alpaca, llama, cervid (elk, deer), fur (mink, fox), rabbits, fur-bearing animals, ratites (emu, ostrich), pheasants, and other similar animal types including uncommon, wild or specialized animal breeds.

**Extensive agriculture** means the science, agronomy or occupation involving cultivating soil, raising and producing field crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing, fertilizing (non-manure), of existing titles or proposed parcels usually 8.1 ha (20 acres) or more in size. For the purposes of this bylaw, this use excludes the stockpiling or composting of manure.

## F

**Fabric building** means a structure, truss or tube-frame building system which is covered with fabric, generally of canvas, vinyl, plastic, or cotton material, which is typically used as an accessory building, garage or for storage. For use purposes these may be considered as an **Accessory building**.



**Farm animals** means those types of animals typically or commonly associated with farming and ranching practices or livelihood activities, such as cattle, horses, swine, poultry (chickens, turkeys), goats, sheep, mules, donkeys, water fowl (ducks, geese), and their associated species.

**Farm machinery sales and service** means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the production, operation and maintenance of agricultural uses related to the cultivation, harvesting, seeding, ploughing or irrigating of land for crop, food or forage production and its associated uses. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

**Farmer's market** means an occasional or periodic market held in an open area or in a building or structure where multiple sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.

**Fascia sign** means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metre (1 ft.) from the building.

**Fence** means a structure usually made of wood, rails or wire intended to mark parcel boundaries and provide yard privacy.

**Financial institution** means a development primarily for providing the service of banking, financial investments or lending money, such as a bank, savings and loan institution, or credit union.

**Floor area** means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

**Food or grocery store** means a store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

**Food processing** means a development for the preparation, processing, or canning and packaging of food products and the wholesale distribution of the same.

**Foundation** means the supporting base structure of a building which has been designed and engineered to support the associated weight of the building or structure.

**Fourplex dwelling** means a form of cluster housing containing four dwelling units, where:

- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

**Fraternal organization** - see Clubs and Organizations.

**Freestanding sign** means any sign or display supported by a freestanding column or structure.

**Front yard** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building. For *Secondary Front yard* refer to [Part 4, Standards of Development](#).

**Frontage** means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

**Funeral home** means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

## G

**Garage** (residential) means an accessory building designed and used for storage of motor vehicles. For associated residential use, a garage may be detached or attached to a dwelling.

**Garage suite** means a dwelling unit located above a rear detached garage, which is accessory to a principal dwelling unit.

**Garden centre** means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

**Grade** means the average surface level of the ground when the work of erecting a structure is completed.

**Grazing and pasturing of livestock** means a parcel of agricultural land that may be ground covered with suitable vegetation, grass or other plants for the grazing, foraging or feeding of livestock, and may include some supplemental outdoor feeding (grain, legume fed) of the livestock on the pasture land.

**Greenhouse** means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale. This use does not include Cannabis Production Facility which is a separate use.

**Gross floor area** means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

**Group home** means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A group home may incorporate accommodation for resident staff as an accessory use.

# H

**Habitable structure** means any building or structure used, or intended for use, on a day-to-day basis by people for residential purposes, or for purposes of conducting a commercial or industrial business, or for purposes of a similar nature, that meets minimum health and safety standards.

**Health or fitness centre, commercial** means the use of a building for the purpose of providing recreation and fitness opportunities to individuals or groups on a user-pay basis. It includes a facility designed for the major purpose of physical fitness or weight reducing which includes, but is not limited to, such equipment as weight resistance machines, whirlpools, saunas, showers, lockers, and may include activities such as yoga, Pilates, spin cycling and various martial arts. This shall not include municipal or privately owned recreation buildings.

**Home occupation** means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

**Hotel** means a building, typically with multi-floors, used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities.

# I

**Illuminated sign** means any sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

**Improvement** means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

**Industrial equipment sale and rental means** a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and mobile home sales and rentals.

**Industrial operation** means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

**Institutional** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

**Interior lot** means any lot other than a corner lot.

# K

**Kennel** means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.

# L

**Landscaped area** means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

**Landscaping** means the modification and enhancement of a site or development through the use of the following elements:

- natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- excludes all areas utilized for driveways and parking.

**Lane** means a public roadway, not exceeding 9.1 metres (30 ft.) in width which provides a secondary means of access to a lot (site).

**Liquor store** means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off-premises. Full walls must physically separate the premises from any other business.

**Livestock** means domesticated animals raised in an agricultural setting, typically associated with farms and ranches, to produce commodities such as food, fibre, and labour, and includes but is not limited to, cattle (both beef and dairy), sheep, swine, horses, mules and other useful animals.

**Loading space** means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

**Lodge or boarding houses** – see Boarding Houses.

**Lot** means an area of land the boundaries of which are shown on a plan registered in a Land Titles Office, or are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office. The words **site** and **parcel** shall have the same meaning as the word **lot**.

**Lot area** means the total horizontal area of a lot.

**Lot length** means the horizontal distance between the front and rear lot lines vertically projected and measured along the median between the side lot lines.

**Lot lines** means the legally defined limits of any lot. The term property line shall have the same meaning.

**Lot width** means the average horizontal distance between the side lot lines.

**Lumber yard** means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

## M

**Machinery and equipment sales and repair** means the use of land or buildings for the display, sale, service and/or rental of machinery.

**Manufactured home 1** (Single-detached dwelling) means a new dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. These are a new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. Single-detached manufactured homes include the following: manufactured, modular, and prefabricated, but this definition does not include ready-to-move, manufactured home 2 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers.

**Manufactured home 2** (Single-detached dwelling) means a manufactured home that has been either previously occupied, is new or does not meet the definition or standards of Manufactured home 1. These are commonly or have previously been referred to as “Mobile homes” and may consist of “Double-wide”, which means a manufactured home consisting of two sections, moved separately, that are joined together into one integrated dwelling unit on site, or “Single-wide” which means a manufactured home designed to stand alone as a single dwelling unit. This definition does not include ready-to-move, manufactured home 1 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers.

**Manufactured home park** means a parcel of land maintained and operated by an owner or a manager providing multiple or grouped spaces for the long-term parking and occupancy of manufactured homes and spaces for ancillary facilities including recreation area.

**Medical cannabis** means a substance used for medical and pharmaceutical purposes authorized by a license issued under the federal government and in accordance with the Government of Canada’s Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

**Mixed land use** means a concentration of complementary but different land uses that are physically integrated on one site or on one parcel of land.

**Mobile home** means a dwelling suitable for long-term or permanent occupancy, and designed to be transported on its own wheels or by other means; and which, upon arriving at a residential site is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy. Units may be single-wide or double-wide but shall not include prefabricated or sectional dwellings. Typically, these units were constructed prior to the year 2006.

**Motel** means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

**Moved-in building** means a conventional pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site and does not include mobile homes.

**Moved-in dwelling** means a conventional pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site for use as a residence.

**Multi-unit dwelling** means a building (other than a row dwelling) containing three or more separate dwelling units.

**Multi-tenant sign** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

**Municipal Government Act (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

**Municipal Planning Commission (MPC)** means the committee authorized by Council to act as the Subdivision Authority pursuant to section 623 of the *Municipal Government Act* and Development Authority pursuant to section 624 of the *Municipal Government Act*, and in accordance with the municipality's Subdivision Authority Bylaw and Development Authority Bylaw.

**Municipality** means the Town of Picture Butte in the Province of Alberta.

## N

**Non-conforming building** means a building:

- (a) that is lawfully constructed or lawfully under construction at the date of a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

**Non-conforming use** means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw.

**Noxious or hazardous uses** are those land uses which may be detrimental to public health, safety and welfare or those uses which because of their toxic gases, noxious smells, wastes, noise, dust or smoke emissions may be incompatible with residential or other development.

# O

**Off-premises sign** means any sign which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

# P

**Park and playground** means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, benches, open green space, pedestrian and bicycle paths, outdoor courts, landscaped areas and associated public washrooms and may include equipment for play purposes usually for children and any associated structures and uses.

**Park model trailer** means a recreational vehicle that is either:

- (a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or
- (b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA-Z-241 standard for recreational vehicles. A park model trailer shall not be used as a permanent dwelling unless certified by a Safety Codes Officer and approved by the Development Authority.

**Permitted use** means the use of land or building(s) which is permitted in a district for which a development permit shall be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

**Personal service** means providing services for personal care and appearance, for the cleaning, servicing, altering and maintenance of personal belongings and effects, and for services such as photographic studios and processing, and includes the supplementary retail sale of associated products. Personal service includes barber shops, beauty or hairdressing salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Development Authority considers similar to any one or all of these uses.

**Places of worship** means a building dedicated to the undertaking of religious practices, services and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

**Portable sign** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

**Portable storage structure** – see “Fabric building”.

**Primary sign** means a sign advertising the primary use of the premises.

**Principal building** means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**Principal use** means the main purpose, in the opinion of the Development Officer, for which a lot is used.

**Private amenity space** means a functionally designed space for the use and benefit of the occupants of a development and is partially or wholly visually screened to provide a private social/recreational area, provides reasonable protection from the natural outdoor elements and provides direct access to and from the dwelling unit that it serves.

**Professional offices or services** means a building, space or use involving the dispensation of a service or advice that requires a specific skill or knowledge and/or registration with a professional administrative/regulatory body that awards a professional designation, for a profit (i.e. lawyers, accountants, engineers, financial planners, insurers, pharmacists, etc.), and which may include the accessory sale of goods.

**Projections over yard** means portions of, and attributes to, a principal building that may encroach into a required setback or minimum yard area, as outlined in a land use district of the Land Use Bylaw.

**Provincial Land Use Policies** means policies established by order of the Lieutenant Governor pursuant to section 622 of the *MGA*.

**Public** means the use of land or a building which is accessible or visible to all members of the community.

## Q

**Queuing aisle** means an area of a lot designed to accommodate vehicles waiting in line at a vehicle-oriented facility.

**Queuing space** means the part of a queuing aisle need to accommodate a single vehicle.

## R

**Ready-to-move** dwelling means a residential dwelling that is a conventional stick framed home previously unoccupied that is constructed at a location or site other than on the lot intended for occupancy, and then is later transported and moved to the site.

**Rear yard** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building. On a lot with a lane, it would be the portion between the principal building and the lane.

**Registered owner** means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or



- (b) in the case of any other land:
  - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
  - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

**Restaurant** means an establishment where food and beverage is prepared and served on the premises for sale to the public and includes seating areas for patrons, and may include entertainment which is ancillary to the preparation and service of food.

**Retail cannabis store** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. This use does not include Retail Cannabis Store which is a separate use.

**Row or town house dwelling** means a building containing three or more separate dwelling units with each unit placed side by side, sharing common walls between adjacent units, and each having a separate front and rear entrance.

## S

**Screening** means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

**Secondary sign** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

**Secondary suite** means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

**Secondary suites (detached garage)** means a separate and subordinate self-contained dwelling unit located above a detached garage, in which the sleeping and living areas are combined in an open studio or loft style. The secondary suite garage must be located at the rear of the principal building and shall be ancillary to the primary dwelling unit.

**Sectional dwelling** means a prefabricated or modular structure moved onto a lot, assembled over a basement/foundation, which has the appearance of and is used as a conventional single-detached dwelling unit.

**Semi-detached dwelling** means a building containing two separate dwelling units connected by a common wall, with separate exterior access to each unit. For the purposes of this Bylaw, this term may

include a duplex which means a building containing two separate dwelling units connected by a common floor or ceiling.

**Semi-public buildings or use** means philanthropic and charitable uses, including YMCAs, YWCAs, Salvation Army [facilities], churches, and church-related institutions, orphanages, humane societies, private welfare organizations, non-profit lodges and fraternal orders, Red Cross, and other general charitable institutions. This shall also include all buildings and premises used in the operation of the semi-public use.

**Senior citizen housing** means development, including lodges which is used as a residence for elderly individuals not requiring constant or intensive medical care.

**Service station** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles. Convenience stores may be allowed in conjunction with the previously-mentioned uses.

**Setback** means the distance required between a building, development, or use from a property line facing a street.

**Shall** means, within the context of a policy, that the action is mandatory.

**Shipping container (c-container or sea-container)** means any container that was used for transport of goods by means of rail, truck or by sea, they may also be referred to as cargo containers, c-containers or sea-containers. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.

**Side yard** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.

**Sign** means a development or location of any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images.

**Sign area** means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing letters or symbols. Frames and structural members not bearing advertising matters shall not be included in computation of surface area.

**Signs** – refer to Sign Definitions in [Part 5](#) for additional sign type and signage definitions.

**Similar use** means a use of land or building(s) for a purpose that is not provided in any district designated in this Bylaw, but is deemed by the Municipal Planning Commission to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Single-detached dwelling** means a building containing one dwelling unit only and excluding moved-in dwellings and mobile homes.

**Site coverage** means the percentage of the lot area which is covered by all buildings and structures on the lot.

**Site density** means the average number of families, persons or dwelling units per unit of land.

**Small Wind Energy System (SWES)** means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

**Solar collector** means a device or structure that is capable of collecting and distributing solar energy for the purpose of transforming it into thermal, chemical or electrical energy.

**Stop order** means an order issued by the development authority pursuant to section 645 of the *MGA*.

**Storage display area** means a limited or defined area on a commercial or industrial lot which provides examples of equipment, products, vehicles or items sold by the business use and located on the subject site containing the display area, but not located within any required setback, or located on any required and approved landscaping area unless approved by the Development Authority.

**Street** means a registered and named public roadway greater than 9.1 metres (30 ft.) in width. The term right-of-way shall have the same meaning as street.

**Structure** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

**Subdivision and Development Appeal Board** means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

## T

**Telecommunication antenna** means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

**Telecommunication facility** means an antenna or tower, typically constructed of metal and used to convey telecommunications signals and includes any related accessory structures. It may also be a shortened tower or antennae on top of a structure.

**Temporary development or uses** means a development for a permitted, discretionary, or similar use determined to be non-permanent, seasonal or temporary in nature and whereas the permit is for a period not to exceed one year, or if a part or section of the bylaw stipulates a specific maximum time period for a use different than the one year, then that period shall apply.

**Temporary sign** means any sign permitted, designed or intended to be displayed for a short period of time, not including portable signs, including posters, banners and sandwich boards.

**Temporary structure** means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

# U

**Use** means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

**Use, Discretionary** means those uses as prescribed in [Part 2](#) of this Bylaw for which a development permit may be issued with or without conditions by the Development Authority at its discretion upon application having been made to the development authority if the proposed use conforms with this Bylaw.

**Use, Non-conforming**, in accordance with the *Municipal Government Act*, means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof, affecting the land or building, becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not comply with the Land Use Bylaw.

**Use, Permitted** means those uses as prescribed in [Part 2](#) of this Bylaw for which a development permit shall be issued with or without conditions by the Development Authority upon application having been made to the Development Authority if the proposed use conforms to this Bylaw.

**Use, Principal** means the main purpose or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**Use, Similar** means a use of land or building(s) for a purpose that is not provided in any district designated in this Bylaw, but is deemed by the Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Utility** means any one or more of the following:-

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) waterworks systems (facilities for the storage, transmission, treatment, distribution or supply of water);
- (c) sewage systems (facilities for the collection, treatment, movement or disposal of sanitary sewage);
- (d) storm sewage drainage facilities;
- (e) telecommunications systems;
- (f) systems for the distribution of artificial light or electric power;
- (g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure; and
- (h) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclause (a) through (g) that are exempted by the Lieutenant Governor in Council by regulation. Within the context of this definition, “**Public Utility**” means a utility that is owned or operated by some level of government, and “**Private Utility**” means the utility is owned or operated by a non-government entity, private company, publicly traded company or utility agency.

## V

**Veterinary clinic** refers to a medical facility which treats animals of all sizes and can consist of inside and outside pens.

**Veterinary clinic, Large animal** means a facility for the medical treatment of primarily large animals (e.g. typically horse, cows, hogs, etc.) but may treat animals of all sizes and can consist of inside and outside pens and may include associated office space and the supplementary sale of associated products.

**Veterinary clinic, Small animal** means a facility for the medical treatment of small animals (e.g. typically domestic household pets such as dogs, cats, rabbits, etc.) and includes the provision for their overnight accommodation within the building only, and may include associated office space, with no provision for outside pens or cages. This use may include off-site treatment of animals or livestock of any size and the supplementary sale of associated products.

## W

**Waiver** means the variance of the regulatory sections contained in the Land Use Bylaw.

**Warehousing** means the use of a building for the storage of materials, products, goods and merchandise.

**Welding** means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

**Window sign** means a sign permanently or temporarily applied directly to the inside surface of a window and intended to be viewed from the outside.

**Workshop** means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

## Y

**Yard** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted. Refer to other yard definitions for front, rear and side yard.

**NOTE:** *All other words and expressions, not otherwise defined, have the same meaning assigned to them in the Municipal Government Act.*



## Appendix A

### Fees





# Appendix A

## Fees

This Appendix of fees may be updated from time to time as per a separate Fee Schedule Bylaw as approved by Council. In all instances, the most recent adopted Fee Schedule Bylaw shall apply.

Amended by Council January 11, 2016:

Fee Schedule	Permitted Uses	Permitted Use Requesting Waiver up to 10%	Discretionary Use <u>or</u> Use Requesting Waiver Greater than 10%	Fee for undertaking development <u>without</u> an approved development permit
<b>Residential:</b>				
Dwellings (any up to 4 units)	\$100	\$150	\$200	\$1000
Additions	\$75	\$100	\$200	\$750
Garages (Accessory Buildings)	\$75	\$100	\$200	\$500
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages) and decks	\$50	\$150	\$200	\$500
Home Occupations Type A	\$75	\$100	\$150	\$500
Home Occupations Type B	\$100	\$150	\$200	\$750
Multi-unit more than 4	\$150	\$200	\$300	\$1000
Secondary Suites	\$150	\$200	\$300	\$750
<b>Commercial:</b>				
Change of Use	\$100	\$200	\$300	\$1000
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages)	\$75	\$100	\$200	\$500
Commercial buildings	\$200	\$250	\$300	\$2000
Multi-tenancy buildings or complexes	\$300	\$350	\$400	\$2000
Additions to buildings	\$100	\$150	\$250	\$750
<b>Industrial:</b>				
Change of Use	\$150	\$250	\$300	\$1000
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages)	\$75	\$100	\$200	\$500
Single tenancy buildings	\$200	\$250	\$300	\$2000
Multi-tenancy buildings or complexes	\$300	\$350	\$400	\$2000
Additions to buildings	\$100	\$150	\$250	\$750

Fee Schedule	Permitted Uses	Permitted Use Requesting Waiver up to 10%	Discretionary Use <u>or</u> Use Requesting Waiver Greater than 10%	Fee for undertaking development <u>without</u> an approved development permit
All other uses	\$200	\$250	\$300	\$1000
Sign Permit: Sign Type 1	\$50	\$100	\$150	\$400
Sign Type 2	\$100	\$150	\$200	\$500
Demolition Permit:			\$50	
Recirculation Fee:			50% of the original application fee	
Land Use Bylaw Amendments:			\$500	
Other Statutory Plans and Amendments To:			\$500	
Request to convene a special meeting of the Municipal Planning Commission:			\$300	
Appeal to the Subdivision and Development Appeal Board:			\$350	

**Additional and separate fees will be required for building permits and inspections.**

Whenever an application is received for a development or use not listed in this schedule, the amount of the fee shall be determined by the Designated Officer or the Municipal Planning Commission and shall be consistent with those fees listed herein. Fees are set by Council may be adjusted from time to time.

## Appendix B

### Forms





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

RESIDENTIAL  
DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to commence construction until such time as a permit has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant  
(please print): \_\_\_\_\_

Phone (primary): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Fax: \_\_\_\_\_

Municipality: \_\_\_\_\_

Email: \_\_\_\_\_

Postal Code: \_\_\_\_\_

☐ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property?

☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent  
☐ Contractor  
☐ Tenant  
☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Land Use District: \_\_\_\_\_

Existing use of parcel: \_\_\_\_\_

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

- ☐ Construct a new dwelling

The dwelling is a:

- ☐ Single-detached site built dwelling
- ☐ Single-detached manufactured dwelling – Type 1
- ☐ Single-detached ready-to-move
- ☐ 2-unit dwelling
- ☐ Multi-unit – please specify the number of dwelling units \_\_\_\_\_
- ☐ Other \_\_\_\_\_

- ☐ Locate a single-detached manufactured dwelling – Type 2

Unit serial # \_\_\_\_\_

Make \_\_\_\_\_

Model \_\_\_\_\_

Age of dwelling \_\_\_\_\_

- ☐ Alter/renovate the existing building

The renovation is a:

- ☐ Addition
- ☐ Attached garage
- ☐ Deck(s)
- ☐ Secondary suite
- ☐ Other \_\_\_\_\_

- ☐ Construct an accessory building / structure

The accessory building is a:

- ☐ Garage (detached)
- ☐ Shed/workshop
- ☐ Other \_\_\_\_\_

- ☐ Moved-in dwelling

- ☐ Demolish existing building (attach completed **Demolition Form**)

- ☐ Other

[illegible]

## BUILDING REQUIREMENTS

Principal Building		Accessory Building		Office Use
Parcel Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>		
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>		
Height of Building	<input type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		
Proposed Setbacks from Property Lines				
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Parcel Type: <input type="checkbox"/> Interior Lot <input type="checkbox"/> Corner Lot				

**Details of VEHICLE PARKING and ACCESS:**

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

**Details of EXTERIOR BUILDING FINISH:**

Describe the type(s) \_\_\_\_\_ and colour(s) \_\_\_\_\_  
of all material used to finish the existing and proposed structure exteriors.

**Details of SERVICES:** Indicate as follows: **(A)** = available **(R)** = required

( ) water      ( ) sewer      ( ) septic field      ( ) natural gas      ( ) electricity      ( ) telephone

## ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m<sup>2</sup>), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

### 1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4.**

### 2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.



# TOWN OF PICTURE BUTTE

## RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

### DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale and north arrow
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Existing residence and/or any other buildings with dimensions of foundation and projections including decks
  - ☐ Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
  - ☐ The proposed distances from the foundation of the building to the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Location of any registered utility right of ways or easements
  - ☐ Location and number of off-street parking spaces
- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of all living space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- ☐ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**
- ☐ **If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.
- ☐ **Application fee payable to the Town of Picture Butte.**
- ☐ Security or performance bond if required by **the Town of Picture Butte** (for prefabricated [manufactured] dwellings, moved-in buildings, etc.).





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

NON-RESIDENTIAL  
DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent

☐ Contractor

☐ Tenant

☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

**Municipal Address of Development:**

**Legal Description:** Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

**Land Use District:** \_\_\_\_\_

Existing use of parcel: \_\_\_\_\_

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

- ❑ Construct a new building

The building is for:

- ☐ Commercial Use

-  Industrial Use

- Public/Institutional Use

- ☐
- Other, specify \_\_\_\_\_

- ☐ Alter/renovate the existing building

- ❑ Construct an accessory building

- ☐
- Demolish existing building (attach completed
- Demolition Form**
- )

- ☐ Change or intensification of use (e.g. new type of business in existing building)

**Describe the proposed use, any changes from existing use, and any work to be done.**

[illegible]

## BUILDING REQUIREMENTS

	Principal Building	Accessory Building	Office Use
Parcel Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Height of Building	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Proposed Setbacks From Property Lines			
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot	

### Details of VEHICLE PARKING and ACCESS:

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

### Details of EXTERIOR BUILDING FINISH:

Describe the type(s) \_\_\_\_\_ and colour(s) \_\_\_\_\_ of all material used to finish the existing and proposed structure exteriors.

### Details of SERVICES: Indicate as follows: (A) = available (R) = required

( ) water ( ) sewer ( ) septic field ( ) natural gas ( ) electricity ( ) telephone

## ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m<sup>2</sup>), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

#### 1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4.**

**2. Submit the following as part of your development permit application**

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

## **DECLARATION OF APPLICANT/AGENT**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

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APPLICANT

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Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.

# TOWN OF PICTURE BUTTE

## NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

### DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale, north arrow and land use district
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Any buildings with dimensions of foundation and projections
  - ☐ The proposed distance from the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Number and location of parking spaces, both on and off-street
  - ☐ Location of any registered utility rights-of-way and easements
  - ☐ Landscaping plan
  - ☐ Lighting plan
  - ☐ Location of fire hydrant, street light, power/telephone/cable pedestal(s) (if located within property frontage)
- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of the space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- ☐ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**
- ☐ **If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.
- ☐ **Application fee payable to the Town of Picture Butte.**
- ☐ Security or performance bond if required by **the Town of Picture Butte** (for moved-in buildings, etc.).







Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

## HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to operate the business until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

### APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent  
☐ Contractor  
☐ Tenant  
☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

Municipal Address of  
Home Occupation:

Legal Description:

Lot(s)

Block

Plan

## BUSINESS DESCRIPTION

- (1) Describe the primary function of your business. What goods and/or services are provided? Attach an additional sheet describing the business.
- (2) Is there another home occupation already operating out of the residence? ☐ Yes ☐ No
- (3) Where will the business operate from? ☐ In-home ☐ Accessory building
- (4) How will you interact or do business with your clients or customers?
- ☐ **In person.** Clients/customers will come to the residence. On average, how many clients will come to the residence?
- ☐ Less than 1 per day ☐ 1-5 per day ☐ More than 5 per day
- ☐ **Remotely.** Clients/customers will not be coming to the residence but will only be in contact by:
- ☐ Phone ☐ Fax ☐ Mail ☐ Courier ☐ Internet/Email
- (5) How many on-site parking spaces for any client visits, deliveries, etc. will be available? \_\_\_\_\_
- (6) What will the days of operation be? ☐ Mon-Fri ☐ Weekends ☐ 7 days/wk ☐ Part-time
- (7) What will be the hours of operation? \_\_\_\_\_
- (8) Will there be any employees that are not residents of the dwelling? ☐ Yes ☐ No
- If YES:
- How many employees will come to the residence? \_\_\_\_\_
- Will more than 1 employee come to the residence at a time? ☐ Yes ☐ No
- (9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?
- ☐ Yes (list materials & quantities) \_\_\_\_\_
- ☐ No
- (10) Will any vehicles/machinery/tools be used to operate the business? Please list.
- \_\_\_\_\_
- (11) Will there be any flammable or hazardous materials on the premises as a result of the business?
- ☐ Yes (list materials & quantities) \_\_\_\_\_
- ☐ No
- (12) Will any goods be displayed at the residence? ☐ Yes ☐ No
- (13) Will there be a sign for the business? ☐ Yes ☐ No

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Home Occupation. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

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APPLICANT

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Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

## SIGN DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Sign Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to install the sign until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

## APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

City: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent☐ Contractor☐ Tenant☐ Other \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## SIGN INFORMATION

TYPE OF WORK: ☐ New Permanent Sign ☐ Changes to Existing Sign ☐ Temporary Sign

Sign Location (Civic Address): \_\_\_\_\_

Are there any other signs at this location? ☐ Yes ☐ No

If yes, please state how many: \_\_\_\_\_

<b>SIGN TYPE*:</b> <input type="checkbox"/> Temporary <input type="checkbox"/> Canopy <input type="checkbox"/> Window <input type="checkbox"/> Freestanding <input type="checkbox"/> Fascia <input type="checkbox"/> Mural <input type="checkbox"/> Projecting <input type="checkbox"/> Other <small>**Billboard signs are not permitted in the Town</small>	<b>PROJECTION STYLE:</b> <i>Mark any or all that apply</i> <input type="checkbox"/> Lettering / logo <input type="checkbox"/> Manual changeable lettering content <input type="checkbox"/> Electronic changeable lettering content <input type="checkbox"/> Animation <input type="checkbox"/> Movement / rotation	<b>ILLUMINATION:</b> <i>Mark any or all that apply</i> <input type="checkbox"/> No illumination <input type="checkbox"/> Direct illumination <input type="checkbox"/> Internal illumination <input type="checkbox"/> Flashing
---	--	--

		<i>Office Use</i>
Length of Sign:	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Height of Sign:	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Sign Face Area (length x height):	<input type="checkbox"/> m <input type="checkbox"/> ft	
Top of Sign Height:		
from Grade:	<input type="checkbox"/> m <input type="checkbox"/> ft	
from Roof:	<input type="checkbox"/> m <input type="checkbox"/> ft	

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed? \_\_\_\_\_ days

Is the sign a portable sign type ☐ Yes, or ☐ Other (describe) \_\_\_\_\_

## SITE PLAN

**\*\*Please attach a plan drawn to a suitable scale and photographs, if available, illustrating:**

- ☐ Location of all existing and proposed sign(s) on the property
- ☐ Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- ☐ Details of sign content (wording, lettering, graphics, colour and design scheme, materials, etc.)
- ☐ Location of the property boundaries of the parcel upon which the proposed sign(s) are to be located
- ☐ Setbacks from property lines of proposed sign(s) and existing building(s)

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.



**Town of Picture Butte**  
Box 670, Picture Butte, AB T0K 1V0

**DEMOLITION PERMIT APPLICATION**

**Date of Application:** \_\_\_\_\_

FOR OFFICE USE ONLY	
<i>Application No.</i>	
<i>Date Deemed Complete</i>	
<i>Tax Roll No.</i>	

**APPLICANT INFORMATION**

**Name of Applicant:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Phone (alternate):** \_\_\_\_\_

**Municipality:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

**PROPERTY INFORMATION**

**Municipal Address of Development:** \_\_\_\_\_

**Legal Description:** Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

**Land Use District:** \_\_\_\_\_

**Existing use:** \_\_\_\_\_

**DEMOLITION/REMOVAL INFORMATION**

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

**STRUCTURES TO BE REMOVED**

**Description of Building/Structure(s)** \_\_\_\_\_  
\_\_\_\_\_

Type of Work ☐ Removal to another site (no demolition) ☐ Demolition of building/structure

Building/Structure Size \_\_\_\_\_ ☐ m<sup>2</sup> ☐ ft<sup>2</sup>

Height of Building \_\_\_\_\_ ☐ m ☐ ft # of storeys \_\_\_\_\_

#### DEMOLITION PLAN

Timeframe Expected start date: \_\_\_\_\_ Expected completion date: \_\_\_\_\_

Method of Demolition ☐ Manual (no heavy equipment) ☐ Using heavy equipment ☐ Other – please explain \_\_\_\_\_

Dump/Landfill Site Location \_\_\_\_\_

**\*\*Note:** Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment.\*\*

Name of Contractor responsible for removal/demolition \_\_\_\_\_

#### DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.



## APPLICANT IS RESPONSIBLE FOR:

- ☐ **Disconnection of all services** including (if applicable):      Signature from agency verifying services disconnected (or attach letter):
- |  |       |
|--|-------|
| <input type="checkbox"/> Electrical power                          | _____ |
| <input type="checkbox"/> Natural gas                               | _____ |
| <input type="checkbox"/> Oil lines                                 | _____ |
| <input type="checkbox"/> Telephone cables                          | _____ |
| <input type="checkbox"/> Communications cables (includes cable TV) | _____ |
| <input type="checkbox"/> Water lines                               | _____ |
| <input type="checkbox"/> Storm & sanitary sewer                    | _____ |
| <input type="checkbox"/> Septic (if applicable)                    | _____ |
- ☐ **On-site consultation with Public Works Director.** The applicant shall schedule a consultation with the Public Works Director a minimum of 48 hours prior to demolition or removal commencing to determine the state of affected public property.
- ☐ **Final plan for property after building removed or demolished and reclamation complete.** As applicable:
- ☐ **Copy of grading plans** if property will be vacant after removal or demolition
  - ☐ **Complete development application for new development** where building is being replaced
- ☐ **A completed Development Application.** This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.
- ☐ **Application Fee and any applicable deposit or security required payable to the Town of Picture Butte.**

**\*\*NOTE:** A building permit is also required before proceeding with demolition.





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

APPLICATION FOR A  
LAND USE BYLAW AMENDMENT

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Bylaw No.	
Date Deemed Complete	

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.

**IMPORTANT NOTE:** Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent  
☐ Contractor  
☐ Tenant  
☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

**PROPERTY INFORMATION**

Municipal Address: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

OR Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

## AMENDMENT INFORMATION

What is the proposed amendment?

☐ Text Amendment

☐ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments to the *Land Use Bylaw*, **attach** a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation: \_\_\_\_\_

Proposed Land Use Designation  
(if applicable): \_\_\_\_\_

☐ Map Attached

Section 51 of the *Land Use Bylaw* regulates the information required to accompany an application for redesignation. Please attach a descriptive narrative detailing:

- the proposed designation and future land use(s);
- if and how the proposed redesignation is consistent with applicable statutory plans;
- the compatibility of the proposal with surrounding uses and zoning;
- the development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land from Urban Reserve to another district;
- multiple parcels of land are involved;
- several pieces of fragmented land are adjacent to the proposal;
- internal public roads would be required;
- municipal services would need to be extended; or
- required by Council or the Subdivision and Development Authority.

The Designated Officer or the Subdivision and Development Authority may also require a:

- geotechnical report; and/or
- evaluation of surface drainage and any other information

if deemed necessary.

## SITE PLAN

Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. Council may request additional information.

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

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APPLICANT

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Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

TELECOMMUNICATION SITING PROTOCOL  
APPLICATION & CHECKLIST

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Date Deemed Complete	
Land Use District (zone)	

APPLICANT INFORMATION

Name of Applicant

(please print): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone (primary): \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

☐ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property?

☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent

☐ Contractor

☐ Tenant

☐ Other \_\_\_\_\_

PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description:

Lot(s) \_\_\_\_\_

Block \_\_\_\_\_

Plan \_\_\_\_\_

Land Use District: \_\_\_\_\_

What is the existing use? \_\_\_\_\_

## DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel?

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What will the tower/antenna be used for?

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Are there any other antenna towers located within 800 metres (0.5 miles) of the subject proposal? (If yes, describe what the other tower is used for, who the operator is, and provide a map identifying the location.)

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---

Is Co-utilization with existing antenna systems proposed? If not, explain why not.

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## TOWER SIZE

Overall tower height \_\_\_\_\_ ☐ m ☐ ft

Commencement Date: \_\_\_\_\_

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.



**TOWN OF PICTURE BUTTE**  
**TELECOMMUNICATION SITING PROTOCOL**  
**APPLICATION & CHECKLIST**

**TELECOMMUNICATION SITING PROTOCOL CHECKLIST**

**A COMPLETED APPLICATION REQUIRES:**

1. A complete Telecommunication Siting Protocol Application filled out, with the site plan attached
2. A completed checklist
3. Non-refundable application fee
4. Signature of ALL landowners (whose land the proposal will be located on)
5. Any additional information requested by the Development Authority

NOTE: For any proposal which includes uses, buildings or structures in addition to the antenna system, the applicant is required to obtain a development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw. In such a case, a separate development permit application must be filled out and submitted to the town.

**CHECKLIST INFORMATION:**

- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed, the Town of Picture Butte will either:
  - Issue a municipal concurrence letter to the applicant, or
  - Issue a letter which outlines the municipality's concerns and/or conditions to the applicant and Industry Canada.
- Construction permits may be required for buildings/tower foundations, plumbing, private sewage systems, and gas or electrical installations.

FEES	
<b>A. An administrative fee of <u>\$200.00 plus</u> the following additional fees if required (whichever is applicable):</b>	
<b>B.</b> Copying and distribution of required notification letters	\$1.50/letter
<b>C.</b> Distribution (only) of required notification letters	\$1.00/letter
<i>If the applicant can prove that notification to all required adjacent landowners has been done, then no B or C fee is required. If a special meeting of the Development Authority is requested, there may be additional fees in accordance with the bylaw.</i>	
For fees not listed here, please see the full Fee Schedule of the bylaw.	

**TOWN OF PICTUTE BUTTE**  
TELECOMMUNICATION SITING PROTOCOL  
APPLICATION & CHECKLIST

## CHECKLIST

Please attach a description of the project summarizing the information required in the following table.

REQUIREMENT	YES OR NO	SUBMITTED? YES, NO OR N/A
<b>Co-utilization:</b> Are there any other such structures within a radius of <b>800 metres (0.5 miles)</b> of the proposed location?		
<b>If YES</b> , please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure.		
<b>Stealth Structure Options/Screening:</b> If this structure will be visible from residential areas stealth structure options may be required to be used and a description of the stealth structure options must be submitted to the satisfaction of the Town.		
<b>Lighting and Signage:</b> Is there additional lighting planned in addition to what is required by federal agencies? Please provide a description of all lighting, required or not required.		
What signage will be used? Please describe. (Note: No advertising signage shall be permitted.)		
<b>Notification &amp; Public Consultation Process:</b> All landowners within a distance of 500 m (1,640 ft.) from the proposed structure must be notified. Please provide a letter that the Town can circulate on your behalf.		
The fee for copying and distributing these letters is \$1.50/letter. _____ x <u>\$1.50/letter</u> = _____ total  The fee for only distributing these letters is \$1.00/letter. _____ x <u>\$1.00/letter</u> = _____ total  <u>Plus</u> , an administrative fee of \$200.00.  <i>If a special meeting of the Development Authority is requested, there may be additional fees in accordance with the Town's fee bylaw.</i>		

## Appendix C

### **Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol**



# Appendix C

## TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCAST ANTENNA SYSTEMS AND SUPPORTING STRUCTURES (ANTENNA SYSTEMS) SITING PROTOCOL

### 1. PURPOSE

This Appendix serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems and supporting structures (antenna systems) in the Town of Picture Butte. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the Town of Picture Butte's preferred development and design standards.

### 2. APPLICABILITY

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Industry Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Industry Canada.

The local protocol established in this Appendix applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system and supporting structures within the Town of Picture Butte which is not excluded from the consultation requirements established by Industry Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the Town of Picture Butte to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in section 5 of this Appendix.

#### (a) Antenna Systems Siting Protocol Exclusion List:

- i. Industry Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Industry Canada's publication, *Radiocommunication and Broadcast Antenna Systems CPC-2-0-03* lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the Town of Picture Butte Land Use Bylaw, Appendix A, Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures Siting Protocol, which currently include:
  - maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;

- addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, as is removed within 3 months after the emergency or special event; and
- new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the Town of Picture Butte or Industry Canada for guidance.

### **3. MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE**

- (a) The Town of Picture Butte's Development Authority (MPC) shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the Town of Picture Butte which are not excluded under section 2 of this Appendix.
- (b) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in section 5 of this Appendix, applicable policies of the Town of Picture Butte Municipal Development Plan, and consideration of comment received during the public consultation process (section 7 of this Appendix) and any other matter deemed relevant by the Development Authority:
  - i. when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision and any conditions;
  - ii. when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (c) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the land use bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw.

### **4. MUNICIPAL REVIEW PROCESSING PERIOD**

- (a) Except as provided in subsection (b), the Development Authority will issue a decision of either concurrence or non-concurrence within 60 days of receiving a complete application package.

- (b) The 60 day processing time period may be extended by the proponent or the Town of Picture Butte, through mutual consent.

## **5. DEVELOPMENT AND DESIGN STANDARDS**

Co-utilization of existing antenna systems is the preferred option within the Town of Picture Butte. However, if co-utilization is not possible, the Town of Picture Butte requests that the following development and design standards be adhered to:

### **(a) Public Roadway Setbacks**

- i. An antenna system (including any support structures) proposed within town should be placed no closer than 25 feet (7.62 m) from the property line abutting the public road. A lesser setback may be considered at the discretion of the Development on a site-specific basis.

### **(b) Lighting and Signage**

- i. Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.
- ii. The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

## **6. APPLICATION SUBMITTAL REQUIREMENTS**

- (a) Proponents are encouraged to contact the Town of Picture Butte in advance of making their submission to obtain information about the Town's Antenna Systems Siting Protocol and identify any preliminary issues or concerns.
- (b) The following application package shall be submitted to the Town of Picture Butte for consideration of a proposed antenna system:
  - i. a completed Telecommunication Antenna Siting Protocol application, including site plan;
  - ii. the prescribed fee, as set in the Town of Picture Butte Appendix or Development Permit Fees;
  - iii. a description of the type and height of the proposed antenna system and any supporting structures;
  - iv. the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
  - v. documentation regarding potential co-utilization of existing towers within 800 metres (0.5 miles) of the subject proposal; and
  - vi. any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.

- (c) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures. For such proposals, the following shall be submitted in addition to the requirements of 6(b):
  - i. a completed development permit application;
  - ii. the prescribed fee, as set in the Town of Picture Butte Schedule of development Fees.

## **7. NOTIFICATION AND PUBLIC CONSULTATION PROCESS**

- (a) Upon receipt of an application package, the Development Authority shall review the application for completeness and, if deemed complete, will:
  - i. schedule a date for a public development hearing to be held by the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;
  - ii. notify the proponent and/or representative of the antenna system of the development hearing date;
  - iii. post a notice of the development hearing in a newspaper in accordance with section 32 (1)(b) of the land use bylaw; and
  - iv. notify by mail persons likely to be affected by the proposal of the development hearing date in accordance with section 32 of the land use bylaw, including:
    - a. landowners within 500 m (1,640 ft.) of the proposed antenna system;
    - b. any review agencies deemed affected, as determined by the Development Authority;
    - c. any other persons deemed affected, as determined by the Development Authority.
  - d. The notifications must be sent 19 days prior to the public meeting date.
- (b) The proponent or a representative of the antenna system(s) proposal should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.



## Appendix D

### Planning Bylaws



# TOWN OF PICTURE BUTTE

## BYLAW NO. 724/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

**AND WHEREAS** the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw maybe cited as the Town of Picture Butte Subdivision Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

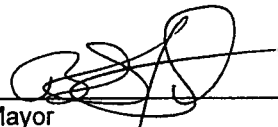
1. For the purpose of this Bylaw, the Subdivision Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for subdivision approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

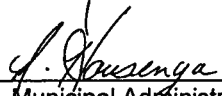
MOVED by Councillor H. Nummi that Bylaw #724/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that Bylaw #724/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #724/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor E. Anderson that Bylaw #724/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 725/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL DEVELOPMENT AUTHORITY.**

**WHEREAS** the , Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Development Authority;

**AND WHEREAS** the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal Land Use Bylaw;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Development Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

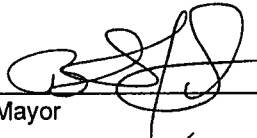
1. For the purpose of this Bylaw, the Development Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for development approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.


MOVED by Councillor H. Nummi that Bylaw #725/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that Bylaw #725/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that permission be granted to give third reading to Bylaw #725/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #725/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 726/95

### BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board;

**AND WHEREAS** the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Subdivision and Development Appeal Board Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

1. **DEFINITIONS:**

- (a) **Act** means the Municipal Government Act, Chapter M-26.1, 1994, and amendments.
- (b) **Municipality** means the Town of Picture Butte in the Province of Alberta.
- (c) **Council** means the Council of the Town of Picture Butte.
- (d) **Subdivision and Development Appeal Board** means the tribunal established to act as the municipal appeal body.
- (e) **Member** means a member of the Subdivision and Development Appeal Board.
- (f) **Secretary** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
- (g) **All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, and amendments.**

- 2. For the purpose of this Bylaw, the Subdivision and Development Appeal Board shall be composed of not more than three persons who are adult residents of the Town of Picture Butte.
- 3. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.

**Bylaw #726/95**

4. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three years.
5. The members of the Subdivision and Development appeal Board shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
6. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, traveling, and living expenses as may be fixed from time to time by Council; and the remuneration, traveling, and living expenses shall be paid by the Town of Picture butte.
7. The Municipal Administrator or Assistant Municipal Administrator shall be appointed as secretary and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
8. The Subdivision and Development Appeal Board shall hold meetings as required and may also hold special meetings at any time at the call of the Chairman.
9. Three of the members of the Subdivision and Development Appeal Board constitute a quorum.
10. There shall not be a majority of municipal councillors sitting to hear any individual appeal.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
12. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
13. The Subdivision and Development Appeal Board may make rules to govern its hearings.
14. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
15. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
16. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision and Development Appeal Board;



**Bylaw #726/95**

- (e) notes as to each representation;
- (f) the names and addresses of those making representations at the meeting;
- (g) the decision of the Subdivision and Development Appeal Board;
- (h) the reasons for the decision of the Subdivision and Development Appeal Board;
- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

17. This Bylaw hereby rescinds Bylaw #517/79.

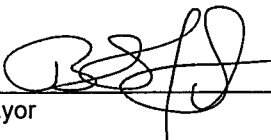
18. This Bylaw comes into force on the final passing thereof.

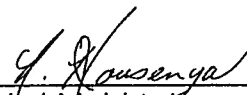
MOVED by Councillor H. Nummi that Bylaw #726/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #726/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #726/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Koenen that Bylaw #726/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 726/95

### BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board;

**AND WHEREAS** the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Subdivision and Development Appeal Board Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

1. **DEFINITIONS:**

- (a) **Act** means the Municipal Government Act, Chapter M-26.1, 1994, and amendments.
  - (b) **Municipality** means the Town of Picture Butte in the Province of Alberta.
  - (c) **Council** means the Council of the Town of Picture Butte.
  - (d) **Subdivision and Development Appeal Board** means the tribunal established to act as the municipal appeal body.
  - (e) **Member** means a member of the Subdivision and Development Appeal Board.
  - (f) **Secretary** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - (g) **All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, and amendments.**
2. For the purpose of this Bylaw, the Subdivision and Development Appeal Board shall be composed of not more than three persons who are adult residents of the Town of Picture Butte.
3. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.

**Bylaw #726/95**

4. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three years.
5. The members of the Subdivision and Development appeal Board shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
6. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, traveling, and living expenses as may be fixed from time to time by Council; and the remuneration, traveling, and living expenses shall be paid by the Town of Picture butte.
7. The Municipal Administrator or Assistant Municipal Administrator shall be appointed as secretary and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
8. The Subdivision and Development Appeal Board shall hold meetings as required and may also hold special meetings at any time at the call of the Chairman.
9. Three of the members of the Subdivision and Development Appeal Board constitute a quorum.
10. There shall not be a majority of municipal councillors sitting to hear any individual appeal.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
12. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
13. The Subdivision and Development Appeal Board may make rules to govern its hearings.
14. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
15. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
16. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision and Development Appeal Board;

**Bylaw #726/95**

- (e) notes as to each representation;
- (f) the names and addresses of those making representations at the meeting;
- (g) the decision of the Subdivision and Development Appeal Board;
- (h) the reasons for the decision of the Subdivision and Development Appeal Board;
- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

17. This Bylaw hereby rescinds Bylaw #517/79.

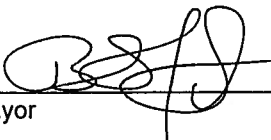
18. This Bylaw comes into force on the final passing thereof.

MOVED by Councillor H. Nummi that Bylaw #726/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #726/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #726/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Koenen that Bylaw #726/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



## SCHEDULE 'B'

### DIRECT CONTROL – DC BYLAW NO. 844-16

**INTENT:** To provide a means whereby Council may regulate and control the use, development, or subdivision on a site specific basis to the following lands: **Plan 8774HS, Block L** (333 - Cowan Avenue South) as shown on Schedule 'A'. For the specific purposes of allowing a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.

The development allowed is based on the plans as approved by Council in consideration of the constraints of the site, compatibility with adjacent public, institutional and residential land uses, and on the basis the development does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

#### 1. PERMITTED AND DISCRETIONARY USES

Only those uses associated with the development of a medium-density adult community housing cluster and as outlined as follows:

##### PERMITTED USES

Attached garages  
Semi-detached dwellings: Site built  
Signs Type 1 (in accordance with Part 5)  
Solar collectors roof-mount, individual (see Part 4)

##### DISCRETIONARY USES

Accessory buildings and structures  
Accessory uses

##### PROHIBITED USES

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use is a Prohibited Use, unless otherwise authorized by Council.*

In addition to those prescribed above, any use Council considers suitable may be considered.

#### 2. MINIMUM LOT SIZE

The minimum lot size shall be as the existing title for Plan 8774HS, Block L, or 1.595 acres.

#### 3. MINIMUM YARD SETBACK REQUIRMENTS

Front yard – 6.1 m (20 ft.) (4<sup>th</sup> Street South considered primary and Cowan Avenue considered secondary front)

Secondary Front yard - 3.05 m (10 ft.) (Cowan Avenue considered secondary front)

Side yard – 1.5 m (5 ft.) (south and east property lines are considered a side yard)

#### **4. MAXIMUM DENSITY AND SITE COVERAGE**

- (1) The maximum number of dwelling units is 7 semi-detached residential units.
- (2) The maximum site coverage for all principal and accessory buildings combined is 50%.

#### **5. ACCESSORY BUILDINGS AND STRUCTURES**

- (1) Any accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- (2) An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

#### **6. STANDARDS OF DEVELOPMENT**

As Council, or the Development Officer acting as the Development Authority, considers necessary having regard to Part 4.

#### **7. SIGNS**

Only those signs associated with the formal name of the housing development, addressing, or directional signage, as Council, or the Development Officer acting as the Development Authority, considers necessary and compatible, having regard to Part 5.

#### **8. OTHER STANDARDS**

As Council requires.

#### **9. APPROVAL PROCEDURE**

- (1) Before Council, or the Development Officer acting as the Development Authority as assigned by Council, considers an application for a use in the Direct Control district, they shall:
  - (a) cause notice to be issued by the Development Officer in accordance with Part 1, Section 33;
  - (b) hear any persons who claim to be affected by a decision on the application.
- (2) Council, or the Development Officer acting as the Development Authority, may then approve the application with or without conditions, or refuse the application.

#### **10. OTHER REQUIREMENTS (AS MAY BE REQUIRED BY COUNCIL)**

- (1) **Site, Layout, and Grading Plan** – that shows the property dimensions, building size and locations, outdoor storage areas, parking areas, utility easements, elevations and servicing areas.
- (2) **Landscaping Plan** – that shows the front yard landscaping and fencing (height and type) on the property.



- (3) **Refuse or Garbage** – shall be located and kept in a municipally approved/supplied container as per the Town of Picture Butte utility policy, and set out by landowners for collection on pick-up day as schedule by the town.
- (4) **Servicing** – the developer shall be responsible for ensuring all required municipal servicing is provided for the development, including water, sewage and drainage.
  - (a) Shallow utilities (e.g. gas, electricity, fibre optics, phone) as required shall also be provided by the developer to the municipality's or utility agencies' standards.
  - (b) Any utility right-of-ways or access easements as required shall be provided by the developer to the satisfaction of the Town of Picture Butte.
- (5) **Roads/Access/Parking**
  - (a) Public road access/egress to the parcel will be limited to a single existing access point to Cowan Avenue from a private roadway access that serves the condominium development.
  - (b) Physical access from the east may only be permitted provided that the developer obtains approval from the adjacent landowner regarding obtaining access over their private land title via an easement agreement.
  - (c) Parking for visitors must be delineated on site and meet the size standards of the Land Use Bylaw.
  - (d) Vehicle parking is to be prohibited on or adjacent to the internal private access roadway. Parking is to occur on personal driveways associated with semi-detached units, within garages, and in the delineated visitor parking area.
- (6) **Development Agreement** – the developer shall enter into a development agreement with the Town of Picture Butte to satisfy any servicing requirements or standards as stipulated by the Town. All servicing and maintenance of the site shall be the responsibility of the condominium association which is to be stipulated in the development agreement and association's bylaws as deemed necessary.
- (7) **Condominium Association** – the developer shall prepare to the town's satisfaction, a copy of a condominium association bylaw that outlines the roles and responsibilities of the owners and also defines the area and elements of the property to be managed by the association.
- (8) **Site Plan** – the development may only be approved in accordance with overall conformity to the associated site plan as approved by town Council.

## **11. SUBDIVISION**

- (1) Notwithstanding the provisions of this bylaw, subdivision is limited to the form of a bare land condominium plan to enable private dwelling unit ownership which conforms to the area of land designated to the Direct Control district, applicable to Plan 8774HS, Block L.
- (2) The Municipal Planning Commission, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

## **12. DELEGATION OF AUTHORITY**

- (1) Council shall be the Development Authority to decide on development permit applications for the discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- (2) The Development Officer, in accordance with Part 1 Section 35 of the Land Use Bylaw and pursuant to section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon development permit applications for permitted uses provided they conform to the standards of the bylaw.

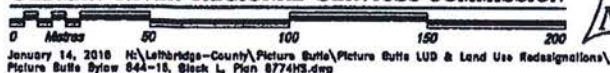
## **13. APPROVAL PROCEDURE**

- (1) Where the Development Officer as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- (2) Before consideration of a development permit application for a proposal requiring waivers or discretionary use on the subject property, Council shall:
  - (a) cause a notice to be issued by the designated officer to any person likely to be affected;
  - (b) ensure that the notice contains the date and time that council will hear the application for discretionary uses or application for waivers of development standards;
  - (c) hear any person that claims to be affected by the decision on the application;
  - (d) Council may then approve the development application with or without conditions or refuse the application with reasons.
- (3) Where Council has made a decision on a development permit application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the town office.

## **14. APPEAL PROCEEDURE**

- (1) Pursuant to section 641(4)(a) to the Municipal Government Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- (2) If the Development Officer has been delegated the authority to decide upon development permit application as the Development Authority, then the appeal to the Subdivision and Development Appeal Board is limited to whether the Development Officer followed the direction of Council.







**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 844-16**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to redesignate a portion of lands located at **333 - Cowan Avenue South and legally described as Plan 8774HS, Block L containing approximately 1.595 acres more or less from "Residential Multi-unit - R5" to "Direct Control - DC"** as shown on the Map in Schedule 'A'.

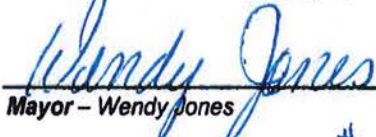
AND WHEREAS the purpose of the proposed amendment is to allow for a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.

AND WHEREAS the proposed amendment includes the specific land use district standards applicable to the parcel of land and development as illustrated in Schedule 'B'.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands, described as **Plan 8774HS, Block L containing approximately 1.595 acres** as shown on Schedule 'A', be redesignated from "Residential Multi-unit - R5" to "Direct Control - DC".
2. The Land Use District Map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. The specific land use district standards for the Direct Control district be added into Land Use Bylaw No. 841-15, as provided in Schedule 'B'.
4. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.

READ a first time this 8<sup>th</sup> day of February, 2016.

  
Mayor - Wendy Jones

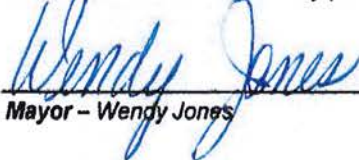
  
Chief Administrative Officer - Larry Davidson

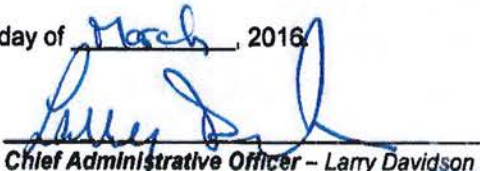
READ a second time this 14<sup>th</sup> day of March, 2016.

  
Mayor - Wendy Jones

  
Chief Administrative Officer - Larry Davidson

READ a third time and finally passed this 14<sup>th</sup> day of March, 2016.

  
Mayor - Wendy Jones

  
Chief Administrative Officer - Larry Davidson

RECEIVED

MAR 22 2016

SH/MK/LBJ

# TOWN OF PICTURE BUTTE

## BYLAW NO. 846-16

A BYLAW OF THE TOWN OF PICTURE BUTTE to update and rescind the attached bylaws for the purpose of updating our bylaw directory.

WHEREAS Council wishes to maintain an up to date directory of municipal bylaws; and

WHEREAS Council wishes to rescind outdated bylaws, which are no longer enforced; and

NOW THEREFORE, pursuant to Section 63(2) (b) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

That the following Bylaws be rescinded.

2A/43	Shop closing bylaw - exceptions blacksmiths welders
5/44	Council honourarium
13/44	Tax penalty
18/44	Consolidation of Payment of taxes
28/45	Exemption of assessment & Taxes
34/	missing -
37/	missing -
40/48	LUB and all amendments
74/48	carrying of firearms within village
85/49	Fire Prevention - amended by bylaw 288
91/49	magazine solicitors
100/50	Minimum municipal tax
105/51	Sidewalks - snow, ice removal
110/52	settlement agreement between Town & Angus McMillan
149/56	Tax exemption - School properties in excess of 4 acres
159/56	Tax exemption - Roman Catholic Church
160/56	Tax exemption - Jesus Christ Latter Day Saints
167/57	Water Service Charge - Reconnection Fee
175/57	Meat Inspections of all slaughtered animals
185/58	Establish Parks & Recreation Commission 491/77 did not repeal
196/59	Establish a Dr. & Hospital Plan for civic employees
229/61	Council honourarium
250/61	Establish a Civil Defence & Disaster Org.
255/62	Water discount rates
260/62	Requirement to install water meters in all buildings within Town
262/62	Gas protection Branch - Gas Inspections
266/62	Collection of Water & Penalties
269/62	Court of Revision (payment of Board members)
275/63	Water & Sewer Connection Fee
280/63	Use of Raw Water for Irrigation
286/62	Dog Control - amendment to 258/62
288-64	Fire Prevention amendment to 85/49
293/64	Fluoridation of water
300/64	Establish Emergency Measures Unit
301/65	Requirement of property owners to connect to municipal services
302/65	Nuisance Bylaw
352/68	amendment to bylaw 118/52 & 119/52 re: frontage rates
357/68	Council honourarium
373/69	Missing
374/69	Missing
378/69	Garbage collection service established
381/69	Alberta Lord's Day Act
387/70	Licensing of mobile homes





403/71	Restriction & control of poultry & livestock in Town limits
404/71	Emergency Measures Unit
406/71	Frontage Tax fee on Centennial Ave.
412/71	Littering
417/72	Missing
419/73	Amends 378/69 - Fees for garbage collection
421/73	Missing
427/73	Licensing of Billiard Rooms
432/74	Missing - reference to line connection
433/74	Environmental project with AB Priority Employment
453/75	Establish frontage rates for Piron Place & Gibbons Ave.
464/76	Establish frontage rates for 5A St., Gibbons Ave., 7St. N, 7A St.
468/76	Canadian Western Natural Gas agreement - Renewed but was not rescinded by bylaw 644-87
478/77	Agreement between Town & Minister of Environment re: water works assistance
491/77	Establish a Regional Recreation Board
509/78	Utility Rates - amends 455 & 465/76
512/80	Dog Control - amends 476/76
520/80	Water & sewer Services - no rates but operational issues
527/80	Licensing fees for mobile home subdivisions
528/80	Authority to enter into agreement with AB government re: water treatment assistance programs
529/80	Utility Rates
539/80	Establishment of a joint airport Committee with County of Lethbridge
549/81	Establish frontage taxes for 4th St. N.
559/81	amend bylaw 491/77 Regional Rec Board to include Coalhurst
562/81	Tax discounts & 9% Penalties
584/83	Establish 1/1/2% interest charges
588/83	Remove Coaldale from Regional Recreation Board
595/83	Prepayment discount of 6% for taxes
602/84	Business Tax bylaw 572/84 amendment
608/84	Establish penalties for non-payment of utilities
625/85	Missing
629/86	Appoint Janet Dickout as CAO
630/86	Amend probationary period of Janet Dickout
636/86	Amend 624/86 Regional Landfill change authority to "Association"
644/87A	Forbid use of stoplights & arms at high school & St. Catherines
644/87	Electric franchise agreement - Renew TransAlta Utilities agreement
646/87	Amend Fire Bylaw re: sale and use of Fireworks
654/88	Establish a Tourism Action Committee
655/88	Emergency measures Unit
656/88	Missing
669/90	Missing
671/90	Missing
677//91	Appointment of Nona Trenerry as CAO
700/93	Tax Certificates - fees
713/94	Utility Rates
720/95	Safety Codes Joint Accreditation
726/95	Est. Subdivision Development Appeal Board
750/98	Elections Bylaw Provincial legislation for Municipal elections
760/99	Discounts and Penalties on taxes
763/00	Smoking Bylaw
772/01	Missing
774/01	Enter into an agreement with Utilicorp for electrical distribution
783A/04	Establish the position of Assessor - Designated Position
790/05	Creation of Bylaw officer position with Barons
817/09	School bus bylaw
744/97	Curfew Bylaw
796/06	Smoking Bylaw

This Bylaw shall come into effect on the final day of passing thereof.

MOVED by Councillor de Kok that Bylaw No. 846-16 be read a first time this 22nd day of February 2016.

MOVED by Councillor Watson that Bylaw No. 846-16 be read a second time this 22<sup>th</sup> day of February 2016.

MOVED by Councillor Feist to allow third reading of Bylaw No. 846-16.

MOVED by Councillor de Kok that Bylaw No. 846-16 be read a third time this 22<sup>nd</sup> day of February 2016.

Town of Picture Butte

Wendy Jones  
Mayor

Harry R. L.  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 848-16**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to regulate the use and siting of shipping containers (c-containers or sea containers) being modified for storage and personal use within specific residential land use districts of the municipality, as described in Schedule A.

AND WHEREAS the general purpose of the proposed amendment is to address the following:

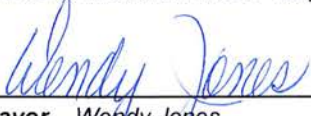
- Add to the residential land use districts R1, R3 and R5 "Shipping container (modified/converted)" as a Discretionary Use Type A, and add a definition of "Shipping container (modified/converted)";
- Add to each of the residential land use districts (R1, R3 & R5), Accessory Buildings section references to the structures being considered an accessory building that must meet the stipulated accessory building and structures setbacks of the bylaw; and,
- Add to Part 4, Standards of Development, Section 40 of the land use bylaw, specific standards and regulations applicable to Shipping Containers (modified/converted), as described in Schedule A.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 848-16 to include the Shipping containers (modified/converted) amendments as described in the attached Schedule A.
2. Bylaw No. 848-16 shall come into effect upon third and final reading thereof.
3. Bylaw No. 848-16 is hereby adopted.

READ a **first** time this 9<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones


  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson


READ a **second** time this 13<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

READ a **third** time and finally PASSED this 13<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson



## **SCHEDULE A - BYLAW NO. 848-16**

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### **Add to residential land use districts – R1, R3 and R5**

“Shipping container (modified/converted)” as a Discretionary Use Type A.

### **Add to each of the residential land use districts (R1, R3 & R5), Accessory Buildings section:**

Add reference to Shipping container (modified/converted) being considered an accessory building and must meet the stipulated accessory building and structures setbacks of the bylaw.

### **Add definition to bylaw:**

**Shipping container (modified/converted)** means any metal container that was used for transport of goods by means of rail, truck or by sea (commonly referred to as a shipping container, c-container, cargo container or sea-container) and whereas the container is used modified for a purpose other than transporting freight, such as static or permanent storage on a parcel of land as an accessory use. In such instances, a modified/converted shipping container shall be considered a building and is subject to the standards and requirements of the Land Use Bylaw. This use does not include transport reefer containers from a transport truck, or shipping containers being modified for residential use.

### **Add to Part 4, Standards of Development, Section 40:**

#### **(5) Shipping Container (modified/converted)**

- (1) Shipping containers (modified/converted) shall only be allowed for accessory storage uses and in the land use districts where they are listed as a discretionary use in Part 2 – Land Use Districts and Regulations.
- (2) A development that proposes to physically alter, structurally modify or convert a shipping container to use as a building or structure for a use other than cargo transport, such as storage, may be considered by the Development Authority subject to the following:
  - (a) All shipping containers (modified/converted) must apply for and receive a development permit approval in order to be sited on a parcel of land, including those that are less than 9.29 m<sup>2</sup> (100 sq. ft.) in area.
  - (b) An application for a development permit for a proposed shipping container (modified/converted) must be completed and submitted to the Development Authority along with the appropriate application fee. At least two recent colour photographs of each container (one end view and one side view) must accompany the application along with clearly detailed plans illustrating how the container will be modified and what its final finished appearance will be.
  - (c) There shall be a primary or principal building existing on the property where the shipping container (modified/converted) is proposed to be sited.
  - (d) All shipping containers (modified/converted) shall be considered as an accessory or secondary type building or structure in accordance with the bylaw and the district standards. These accessory structures must meet all requirements of the Town of Picture Butte Land Use Bylaw (i.e. height, size, setbacks and site coverage).
  - (e) The site coverage must not exceed the maximum lot site coverage (inclusive of all accessory building or structure on the parcel) as stipulated in the applicable land use district. In any instance, the maximum size of a modified shipping container shall not exceed 6.1 m (20 ft.) in length and 14.86 m<sup>2</sup> (160 Sq. ft.) overall in area.

- (f) A shipping container (modified/converted) must be located in the rear yard only, and the rear and side yard setback requirements shall be regulated by the Development Authority and the prescribed accessory building standards of the applicable land use district.
- (g) No more than one shipping container (modified/converted) shall be permitted on a residential lot.
- (h) To ensure that the design, character and appearance of the finished shipping container (modified/converted) building is compatible with other buildings in the vicinity and that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located, the Development Authority shall require that any shipping container (modified/converted) be subject to the following conditions of approval. The shipping container (modified/converted) must:
  - (i) be sided on a minimum of three sides (non-door sides) with the same or complimentary exterior material (acceptable siding materials are vinyl, Hardy-plank or smart board, wood, shakes) and similar or complimentary colour as the principal building;
  - (ii) be completely painted on the opening doors side, if not required to be sided, to match the colour of siding being installed on the other three sides of the container;
  - (iii) be modified to have a sloped roof (of a hip, gable, or gambel type) with a minimum 3/12 pitch. The roof must be shingled and finished in material acceptable to the Development Authority such as wood shake, fibre cement, asphalt, or composite shingle;
  - (iv) be constructed in a manner that includes the roof and siding being securely strapped/fastened to the structure to withstand strong winds and the applicant must have it inspected by a certified building inspector to demonstrate it complies to all building code requirements;
  - (v) be modified to add functional gutters and downspouts;
  - (vi) be placed on a sound, level solid base and in accordance with standard building construction and building code requirements; and
  - (vii) be able to meet all applicable provincial building and safety code requirements.
- (i) Notwithstanding other sections of the bylaw stipulating development permit completion timeframes, a development permit approval for a shipping container (modified/converted) must be completely modified and finished within 120 days of the issuance of the permit.
- (j) A shipping container (modified/converted) shall not display advertising, company logos, names or other marketing.
- (k) The Development Authority shall require as a condition of approval the posting of a security deposit guaranteeing compliance with the conditions of the permit. The security deposit shall be provided in the amount of \$10 per sq. ft. based on the total area size of the container or accessory building, as required at the discretion of the Development Authority. The deposit shall only be returned to the applicant at their request, once the conditions of the development permit have been met to the determination and satisfaction of the Development Authority.
- (l) The applicant is responsible for obtaining any provincially required building or safety code permit required for the modification of a shipping container (modified/converted) and the municipality may, as a condition of approval, require that a copy of any inspection report or permit approval be filed with the municipal town office.
- (m) The Development Authority may, as a condition on a development permit approval, require the applicant to provide to the satisfaction of the Development Authority an engineering report prepared by a licensed professional structural engineer, to ensure the modified shipping container structure meets all development standards and is also able to meet the requirements of the Alberta Building Code.

- (n) Failure by the applicant to complete the development as approved by the Development Authority and any assigned conditions will result in the Town of Picture Butte taking enforcement action.

**TOWN OF PICTURE BUTTE**

**BYLAW # 849-16**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2016 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 25, 2016; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2016 total **\$4,663,619.67**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,429,504.00**, and the balance of **\$1,234,115.67** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 271,221.43	
Non-Residential	<u>\$ 62,431.16</u>	\$ 333,652.59
Opted Out School Boards:		
Residential / Farmland	\$ 45,008.85	
Non-Residential	<u>\$ 24,288.45</u>	<u>\$ 69,297.30</u>
Total School Requisitions		\$ 402,949.89
Green Acres Foundation (Seniors Requisition)		<u>\$ 19,827.21</u>
<b>Total Requisitions for 2016</b>		<b>\$ 422,777.10</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	<b>Assessment</b>
Residential / Farm Land - Public	\$ 116,476,657.00
Residential / Farm Land – Separate	\$ 19,329,153.00
Non-Residential / Linear - Public	\$ 19,839,218.00
Non-Residential / Linear – Separate	\$ 7,718,322.00
Machinery and Equipment - Public	\$ 2,018,440.00
Machinery and Equipment - Separate	<u>\$ 71,140.00</u>
<b>Total Assessment for 2016</b>	<b>\$ 165,452,930.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	<b>TAX LEVY</b>	<b>ASSESSMENT</b>	<b>TAX RATE</b>
<b>General Municipal</b>			
Residential / Farmland	\$ 977,668.08	\$135,805,810.00	7.19902
Non-Residential and M&E	\$ 256,447.59	\$ 29,647,120.00	8.65000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 271,221.44	\$116,476,657.00	2.32855
Non-Residential	\$ 62,431.15	\$ 19,839,218.00	3.14686
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 45,008.85	\$ 19,329,153.00	2.32855
Non-Residential	\$ 24,288.45	\$ 7,718,322.00	3.14686
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 19,827.21	\$165,452,930.00	0.11984
<b>GRAND TOTAL</b>	<b>\$ 1,656,892.77</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 9<sup>th</sup> day of May, 2016

Read a second time in Council assembled this 9<sup>th</sup> day of May, 2016

Council unanimously resolved to proceed to third reading this 9<sup>th</sup> day of May, 2016

Read a third time in Council assembled this 9<sup>th</sup> day of May, 2016

\_\_\_\_\_  
Mayor Wendy Jones

\_\_\_\_\_  
CAO Larry Davidson

## BYLAW # 850-16

A Bylaw of the Municipality of Picture Butte to authorize the Mayor and Chief Administrative Officer to execute an agreement with ATCO Gas and Pipelines Ltd., to renew an agreement with, and to confer a franchise on the Company to deliver natural gas to customers within the Town of Picture Butte.

**WHEREAS** the Company has requested a franchise be granted to provide natural gas services to customers within the Town of Picture Butte;

**AND WHEREAS** it is deemed that such an agreement would be of benefit to customers within the Town of Picture Butte;

**THEREFORE** under the authority of the Municipal Government Act, R.S.A. 2000, Chapter M-26, Part 3, Division 3, Section 45-47 be it enacted that the Mayor and Chief Administrative Officer be authorized to sign the agreement which is attached to and forming part of this Bylaw and marked as Schedule "A" between the Municipality and the Company to renew an agreement with and to confer a franchise on the Company to deliver natural gas services within the Town of Picture Butte;

This Bylaw shall come into force upon the agreement being approved by the Alberta Utilities Commission for the Province of Alberta, and upon being given Third reading and finally passed.

READ a First Time this 13<sup>th</sup> day  
of June, 2016

) Wendy Jones  
MAYOR

READ a Second Time this 8<sup>th</sup> day  
of August, 2016

) Larry R. [Signature]  
Chief Administrative Officer

READ a Third Time and finally

passed this 8<sup>th</sup> day

of August, 2016

## FORM OF APPLICATION

Alberta Utilities Commission  
10 Fl, 10055-106 Street  
Edmonton, Alberta  
T5J 2Y2

### **RE: RENEWAL OF A NATURAL GAS FRANCHISE AGREEMENT**

The Council of the Municipality hereby applies to the Alberta Utilities Commission for approval to renew a natural gas franchise agreement between the Municipality and ATCO Gas and Pipelines Ltd.

Enclosed herewith is a copy of by-law No. **850-16** read the first time on the 13th day of June, 2016.

The Council hereby declares:

- a) That the privilege or franchise granted under the natural gas franchise renewal agreement is necessary and proper for the public convenience and properly conserves the public interests.
- b) That the scheme of ATCO Gas and Pipelines Ltd. for the delivery of natural gas under the provisions of the natural gas franchise renewal agreement is reasonable and sufficient having regard to the general circumstances.
- c) That with respect to the delivery of natural gas to the Municipality the natural gas utility has provided the construction, equipment, maintenance, service or operation as the public convenience and interests reasonably require.
- d) That having regard to the deliverability of natural gas in the area in which the Municipality is situated and to any other circumstances, the granting of the franchise or privilege in the natural gas franchise renewal agreement is to the general benefit of the area directly or indirectly affected thereby.
- e) That the natural gas supplier has fully discussed all proposed changes to the natural gas franchise agreement with the Council and the Council understands the reasons for this renewal and is in agreement with them.
- f) That the rights conferred by the Municipality in the Agreement are not exclusive as against Her Majesty the Queen in the Right of the Province of Alberta.

Additionally, the Municipality hereby consents to the matter being determined without a hearing if no objections are filed with the Albert Utilities Commission following published notice of the pending renewal agreement.

For the purposes of advertising notice, The Sunny South News is the newspaper with the largest circulation within the Municipality.

DATED THIS 14 DAY OF June A.D., 2016

SIGNED:

Wendy Jones  
(MAYOR)  
Penny D.  
(ADMINISTRATOR)





**NATURAL GAS DISTRIBUTION SYSTEM FRANCHISE AGREEMENT**

**2016**

**BETWEEN:**

**TOWN OF PICTURE BUTTE**

**- AND -**

**ATCO GAS AND PIPELINES LTD.**

## Table of Contents

1) Definitions and Interpretation .....	3
2) Term .....	6
3) Expiry of Term of Agreement .....	6
4) Grant of Franchise .....	7
5) Franchise Fee .....	8
6) Core Services .....	10
7) Provision of Extra Services .....	10
8) Municipal Taxes .....	10
9) Right to Terminate on Default .....	11
10) Sale of Natural Gas Distribution System .....	11
11) Provision of Detailed Plans and Equipment .....	11
12) Right of First Refusal to Purchase .....	12
13) Construction and/or Maintenance of Natural Gas Distribution System .....	13
14) Responsibilities For Cost of Relocations .....	16
15) Natural Gas Distribution System Expansion .....	18
16) Increase in Municipal Boundaries .....	19
17) Joint Use of Municipal Rights-of-Way .....	19
18) Municipality as a Retailer .....	20
19) Reciprocal Indemnification and Liability .....	21
20) Assignment .....	21
21) Notices .....	23
22) Interruptions or Discontinuance of Delivery Service .....	24
23) Dispute Settlement .....	24
24) Application of Water, Gas and Electric Companies Act .....	25
25) Force Majeure .....	25
26) Terms and Conditions .....	26
27) Not Exclusive Against Her Majesty .....	26
28) Severability .....	26
29) Amendments .....	26
30) Waiver .....	26
31) Confidentiality .....	27

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# **NATURAL GAS DISTRIBUTION SYSTEM FRANCHISE AGREEMENT**

BETWEEN

**TOWN OF PICTURE BUTTE**, a municipality  
located in the Province of Alberta (the  
"Municipality")

OF THE FIRST PART

– and –

**ATCO GAS AND PIPELINES LTD.**, a  
corporation having its head office at the City of  
Edmonton, in the Province of Alberta (the  
"Company")

OF THE SECOND PART

WHEREAS by Agreement dated April 19, 1956 made between the Company and the Municipality a franchise was granted to the Company to supply natural gas to the Municipality and its inhabitants, for a period of twenty (20) years;

WHEREAS by Renewal Agreement dated November 18, 1976 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated October 16, 1986 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated October 28, 1996 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated August 28, 2006 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS the Municipality desires to grant and the Company, collectively the "Parties", desires to obtain an exclusive franchise to provide Natural Gas Distribution Service within the Municipal Service Area on the terms and conditions herein contained;

NOW THEREFORE in consideration of the mutual covenants and promises herein contained, the Parties hereby agree as follows:

## **1) Definitions and Interpretation**

Unless otherwise expressly provided in this Agreement, the words, phrases and expressions in this Agreement will have the meanings attributed to them as follows:

- a) "Agreement" means this Natural Gas Distribution System Franchise Agreement;
- b) "Alternative Course of Action" shall have the meaning set out in paragraph 14 (c);
- c) "Commission" means the Alberta Utilities Commission (AUC) as established under the Alberta Utilities Commission Act (Alberta);
- d) "Company" means the Party of the second part to this Agreement and includes its successors and permitted assigns;
- e) "Construct" means constructing, reconstructing, upgrading, extending, relocating, or removing any part of the Natural Gas Distribution System;
- f) "Consumer" or "Consumers" as the text may require, means any individual, group of individuals, firm or body corporate, including the Municipality, with premises or facilities located within the Municipal Service Area from time to time that are provided with Natural Gas Distribution Service by the Company pursuant to the Company's Delivery Tariff;
- g) "Core Services" means all those services set forth in Schedule "A" of this Agreement;
- h) "Delivery Tariff" means the rates and Terms and Conditions of service approved by the Commission from time to time on an interim or final basis, as the case may be, for the Company to deliver Natural Gas to the Consumer;
- i) "Electronic Format" means any document or other means of communication that is created, recorded, transmitted or stored in digital form or in any other intangible form by electronic, magnetic or optical means or by any other computer-related means that have similar capabilities for creation, recording, transmission or storage;
- j) "Extra Services" means those services set forth in Schedule "B" that are requested by the Municipality for itself or on behalf of its citizens and provided by the Company in accordance with paragraph 7 of this Agreement;
- k) "GUA" means the Gas Utilities Act (Alberta);
- l) "Intended Time Frame" shall have the meaning set out in paragraph 14 (c);
- m) "Maintain" means to maintain and keep in good repair any part of the Natural Gas Distribution System;
- n) "Major Work" means any Work to Construct or Maintain the Distribution System that costs more than One Hundred Thousand (\$100,000.00) Dollars;
- o) "MGA" means the Municipal Government Act (Alberta);



- p) "Modified Plans" shall have the meaning set out in paragraph 14 (c)(ii);
- q) "Municipality" means the Party of the first part to this Agreement;
- r) "Municipal Compensation" shall have the meaning set out in paragraph 20;
- s) "Municipal Service Area" means the geographical area within the legal boundaries of the Municipality where the Company has been granted rights hereunder in connection with, among other matters, Natural Gas Distribution Service, as altered from time to time;
- t) "Municipal Property" means all property, including lands and buildings, owned, controlled or managed by the Municipality within the Municipal Service Area;
- u) "Natural Gas" means a combustible mixture of hydrocarbon gases;
- v) "Natural Gas Distribution Service" means the delivery of Natural Gas in accordance with the Company's Delivery Tariff;
- w) "Natural Gas Distribution System" means any facilities owned by the Company which are used to provide Natural Gas Distribution Service within the Municipal Service Area, and without limiting the generality of the foregoing, will include all mains, pipes, conduits, valves and all other installations used and required for the purpose of delivering Natural Gas to the Consumer within the Municipal Service Area and includes any Natural Gas transmission lines owned by the Company within the Municipal Service Area;
- x) "NOVA Gas Transmission Ltd. (NGTL)" means NGTL and its successors, as applicable, for purposes of paragraph 5 g) of this Agreement. For greater certainty, the provisions of paragraph 5 g) may only apply in relation to franchises held by ATCO;
- y) "Operate" means to operate the Natural Gas Distribution System, or to interrupt or restore service in any part of the Natural Gas Distribution System, in a safe and reliable manner;
- z) "Party" means any party to this Agreement and "Parties" means all of the parties to this Agreement;
- aa) "Plans and Specifications" means the plans, drawings and specifications reasonably necessary to properly assess and review proposed Work prior to issuance of any approval that may be required under this Agreement;
- bb) "Term" means the term of this Agreement set out in paragraph 2;
- cc) "Terms and Conditions" means the terms and conditions contained within the



Delivery Tariff in effect from time to time for the Company as approved by the Commission;

dd) "Work" means any work to Construct or Maintain the Natural Gas Distribution System; and

ee) "Work Around Procedures" shall have the meaning set out in paragraph 14 (c)(ii).

The words "hereof", "herein", "hereunder" and other words of similar import refer to this Agreement as a whole, including any attachments hereto, as the same may from time to time be amended or supplemented and not to any subdivision contained in this Agreement. Unless the context otherwise requires, words importing the singular include the plural and vice versa and words importing gender include all genders. References to provisions of statutes, rules or regulations will be deemed to include references to such provisions as amended, modified or re-enacted from time to time. The word "including" when used herein is not intended to be exclusive and in all cases means "including without limitation". References herein to a section, paragraph, clause, Article or provision will refer to the appropriate section, paragraph, clause, article or provision of this Agreement. The descriptive headings of this Agreement are inserted for convenience of reference only and do not constitute a part of and will not be utilized in interpreting this Agreement.

## **2) Term**

a) Subject to sub-paragraph 2(b), this Agreement will be for a minimum term of ten years, commencing on the later of:

i. 1<sup>st</sup> day of August 2016; and

ii. the first (1<sup>st</sup>) business day after both of the following have occurred:

A. the Commission has approved and acknowledged this Agreement; and

B. Council of the Municipality has passed third reading of the applicable adopting bylaw.

b) This Agreement will expire on the 31<sup>st</sup> day July, 2026.

c) It is agreed this Agreement supersedes and replaces any prior Natural Gas franchise agreements between the Municipality and the Company.

## **3) Expiry of Term of Agreement**

a) Provided the Company gives written notice to the Municipality not less than twelve (12) months prior to the expiration of the Term of its intention to negotiate a new franchise agreement, at any time following the expiration of the Term, and if the Municipality has not provided written notice to the Company to exercise its



rights to purchase the Natural Gas Distribution System, either Party may submit any items in dispute pertaining to a new franchise agreement to binding arbitration by the Commission.

- b) Subject to subparagraph 3c) of this Agreement, upon expiry of the Term, this Agreement will continue in effect pursuant to the provisions of the MGA.
- c) Commencing one (1) year following the expiration of the Term of this Agreement, unless either Party has invoked the right to arbitration referred to in subparagraph 3a), or the Municipality has given written notice to purchase the Natural Gas Distribution System, this Agreement will be amended to provide the following:
  - i) Fifty percent (50%) of the franchise fee otherwise payable under this Agreement to the Municipality will be held back and deposited in trust in an interest bearing trust account by the Company, for the sole benefit of the Municipality. The trust money along with all accumulated interest will be paid to the Municipality immediately upon execution of another Natural Gas Franchise Agreement with the Company, or if the Municipality purchases the Natural Gas Distribution System, or if the Company transfers or sells the Natural Gas Distribution System, or upon further Order of the Commission.
- d) In the event a franchise agreement template is approved by the Commission during the Term of this Agreement and the provisions are materially different from the provisions of this Agreement, the Parties may, by agreement in writing, amend this Agreement to conform to such franchise agreement template.

#### **4) Grant of Franchise**

- a) Subject to the terms and conditions hereof, the Municipality hereby grants to the Company the exclusive right within the Municipal Service Area to:
  - i. provide Natural Gas Distribution Service;
  - ii. Construct, Operate, and Maintain the Natural Gas Distribution System; and
  - iii. use portions of roads, rights-of-way, and other lands owned, controlled or managed by the Municipality which have been designated by the Municipality for such use and which are necessary to provide Natural Gas Distribution Service or to Construct, Operate and Maintain the Natural Gas Distribution System.
- b) Subject to subparagraph 4c) , and to the terms and conditions hereof, the Municipality agrees it will not, during the Term, grant to any other person, firm or corporation, the right to Construct, Operate and Maintain any natural gas distribution system nor the exclusive right to use the portions of the roads, rights-of-way and other lands owned, controlled or managed by the Municipality which



have been designated by the Municipality for such use and which are necessary to provide Natural Gas distribution service or to Construct, Operate and Maintain a Natural Gas distribution system, for the purpose of delivering Natural Gas in the Municipal Service Area for Consumers, so long as the Company delivers the Consumers' requirements of Natural Gas.

c) The Company agrees to:

- i. bear the full responsibility of an owner of a Natural Gas distribution system and to ensure all services provided pursuant to this Agreement are provided in accordance with the Delivery Tariff, insofar as applicable;
- ii. Construct, Operate and Maintain the Natural Gas Distribution System;
- iii. use designated portions of roads, rights-of-way, and other lands including other lands owned, controlled or managed by the Municipality necessary to Construct, Operate and Maintain the Natural Gas Distribution System, including the necessary removal, trimming of trees, shrubs or bushes or any parts thereof; and
- iv. use the Municipality's roads, rights-of-way and other Municipal Property granted hereunder solely for the purpose of providing Natural Gas Distribution Service and any other service contemplated by this Agreement.

**5) Franchise Fee**

a) Calculation of Franchise Fee

In consideration of the rights granted pursuant to paragraph 4 and the mutual covenants herein and subject to Commission approval the Company agrees to collect from Consumers and pay to the Municipality a franchise fee. The Parties agree s. 360(4) of the *MGA*, as amended, does not apply to the calculation of the franchise fee in this Agreement. For each calendar year the franchise fee will be calculated as a percentage of the Company's actual total revenue derived from the Delivery Tariff, including without limitation the fixed charge, base energy charge, demand charge, but excluding the cost of Natural Gas (being the calculated revenues from the Natural Gas cost recovery rate rider or the deemed cost of Natural Gas and Natural Gas supply related riders) in that year for Natural Gas Distribution Service within the Municipal Service Area.

For the first (1<sup>st</sup>) calendar year or portion thereof of the Term of this Agreement, the franchise fee percentage will be eighteen percent (18.00%).

By no later than September 1<sup>st</sup> of each year, the Company will:





- i. advise the Municipality in writing of the total revenues that were derived from the Delivery Tariff within the Municipal Service Area for the prior calendar year; and
- ii. with the Municipality's assistance, provide in writing an estimate of total revenues to be derived from the Delivery Tariff within the Municipal Service Area for the next calendar year.

b) Adjustment to the Franchise Fee

At the option of the Municipality and subject to Commission approval, the franchise fee percentage may be changed annually by providing written notice to the Company.

If the Municipality wishes to amend the franchise fee percentage, then the Municipality will, no later than November 1<sup>st</sup> in any year of the Term, advise the Company in writing of the franchise fee percentage to be charged for the following calendar year. Upon receipt of notice, the Company will work with the Municipality to ensure all regulatory requirements are satisfied on a timely basis and agrees to use best efforts to obtain approval from the Commission for implementation of the proposed franchise fee percentage as and from January 1<sup>st</sup> of the following calendar year.

If the Municipality provides written notice at any other time with respect to a franchise fee change, the Company will implement the new franchise fee percentage as soon as reasonably possible.

c) Notice to Change Franchise Fee

Prior to implementing any change to the franchise fee, the Municipality will notify its intent to change the level of the franchise fee and the resulting effect such change will have on an average residential Consumer's annual Natural Gas bill through publication of a notice once in the newspaper with the widest circulation in the Municipal Service Area at least forty five (45) days prior to implementing the revised franchise fee. A copy of the published notice will be filed with the Commission.

d) Payment of Franchise Fee

The Company will pay the Municipality the franchise fee amount billed to Consumers on a monthly basis within forty-five (45) days after billing Consumers.

e) Franchise Fee Cap

The franchise fee percentage will not at any time exceed thirty five percent (35%) without prior Commission approval.



f) **Reporting Considerations**

Upon request, the Company will provide to the Municipality, along with payment of the franchise fee amount information on the total Delivery Tariff billed, the franchise fee percentage applied, and the derived franchise fee amount used by the Company to verify the payment of the franchise fee amount as calculated under this paragraph 5.

g) **Franchise Fees Collected from NOVA Gas Transmission Ltd. Customers**

In the event certain customers in the Municipal Service Area connected to the Company's Natural Gas Distribution System are customers of the NOVA Gas Transmission Ltd. (NGTL), a franchise fee will be collected from such customers by NGTL in accordance with NGTL's applicable tariff and such franchise fee once remitted to the Company will be aggregated with the franchise fee as calculated in paragraph 5 a) to be dealt with in accordance with paragraph 5 d).

**6) Core Services**

The Company agrees to provide to the Municipality the Core Services set forth in Schedule "A". The Company and the Municipality may amend Schedule "A" from time to time upon mutual agreement.

**7) Provision of Extra Services**

Subject to an agreement being reached, the Company agrees to provide to the Municipality the Extra Services, if any, set forth in Schedule "B", as requested by the Municipality from time to time. The Company is entitled to receive from the Municipality a reasonable amount for full compensation for the provision of the Extra Services in accordance with Schedule "B". The Company and the Municipality may amend Schedule "B" from time to time upon mutual agreement.

Any breach by the Company in connection with the provision of any Extra Services contained in this Agreement will not constitute a breach of a material provision of this Agreement for the purposes of paragraph 9.

**8) Municipal Taxes**

Amounts payable to the Municipality pursuant to this Agreement will be (without duplication) in addition to the municipal taxes and other levies or charges made by the Municipality against the Company, its land and buildings, linear property, machinery and equipment.



**9) Right to Terminate on Default**

In the event either Party breaches any material provision of this Agreement, the other Party may, at its option, provide written notice to the Party in breach to remedy such breach. If the said breach is not remedied within two (2) weeks after receipt of the written notice or such further time as may be reasonably required by the Party in breach using best efforts on a commercially reasonable basis, the Party not in breach may give six (6) months notice in writing to the other Party of its intent to terminate this Agreement, and unless such breach is remedied to the satisfaction of the Party not in breach acting reasonably this Agreement will terminate six (6) months from the date such written notice is given, subject to prior Commission approval.

**10) Sale of Natural Gas Distribution System**

Upon the expiration of the Term of this Agreement or the termination of this Agreement pursuant to the terms and conditions hereof or by operation of law or order of a governmental authority or court of law having jurisdiction the Municipality may, subject to the approval of the Commission under Section 47 of the MGA:

- i. exercise its right to require the Company to sell to it the Natural Gas Distribution System within the Municipal Service Area pursuant to the provisions of the MGA, where applicable; or
- ii. if such right to require the Company to sell the Natural Gas Distribution System is either not applicable or has been repealed, require the Company to sell to it the Natural Gas Distribution System. If, upon the expiration of the Agreement, the parties are unable to agree on the price or on any other terms and conditions of the purchase, the unresolved matters will be referred to the Commission for determination.

**11) Provision of Detailed Plans and Equipment**

**a) Detailed Plans**

The Company agrees to provide to the Municipality for the Municipality's purposes only, the most current set of detailed plan sheets including as-built drawings and specifications showing the locations (excluding depth) and alignments of the Natural Gas Distribution System, excepting service lines and installations on private property, according to the plan sheets in hard copy and in Electronic Format, where available, together with as many prints of the overall Natural Gas Distribution System as the Municipality may reasonably require. These plans and plan sheets will be updated by the Company on at least an annual basis.

The Municipality will, upon reasonable request, provide to the Company any subdivision development plans of the Municipality in hard copy and in Electronic Format, where available. The subdivision development plans are provided to the

Company for the sole purpose of assisting the Company in delivering Natural Gas to the Consumer.

b) **Provision of Equipment**

The Company agrees to provide the Municipality's fire department with the equipment necessary for the operation of curb boxes and service valves. In case of fire, the service valves may be turned off by the fire department if they reach a fire before the Company's representative. The Municipality will notify one of the Company's representatives of fires which may affect the Natural Gas Distribution System and/or the operations thereof as quickly as reasonably possible or, in the event they cannot reach a Company representative, the Municipality will advise the Company's standby personnel of such fires. The Company will ensure its representatives reasonably cooperate with the Municipality in preventing, controlling and investigating fires involving or affecting the Natural Gas Distribution System.

**12) Right of First Refusal to Purchase**

- a) If during the Term of this Agreement, the Company receives a bona fide arm's length offer to operate, take control of, or purchase the Natural Gas Distribution System within the Municipal Service Area, which the Company is willing to accept, then the Company will promptly give written notice to the Municipality of the terms and conditions of such offer and the Municipality will during the next one hundred and twenty (120) days, have the right of first refusal to operate, take control of or purchase the Natural Gas Distribution System, as the case may be, for the same price and upon the terms and conditions contained in the said offer.

Notwithstanding the foregoing, in the event the Municipality fails or refuses to exercise its right of first refusal, the Municipality will retain the right to withhold its consent to an assignment of this Agreement in accordance with paragraph 20 below. For the purposes of this paragraph 12, "operate, take control" will not be construed as including the subcontracting by the Company of only some portions of its operations where the Company continues to be responsible for the performance of this entire Agreement;

- b) If the Municipality does not exercise its right of first refusal and the said bona fide offer the Company is willing to accept does not proceed to closure, the Municipality retains its right of first refusal on any other offer.
- c) This right of first refusal applies where the offer pertains only to the entire Natural Gas Distribution System. The right of first refusal does not apply to offers that include any other distribution systems or distribution facilities of the Company located outside of the Municipal Service Area. If such offer includes other distribution systems of the Company, the aforesaid right of first refusal will be of no force and effect and will not apply.
- d) Where the Municipality exercises its rights to purchase the Natural Gas Distribution





System from the Company and thereby acquires the Natural Gas Distribution System, the Municipality agrees, should it no longer wish to own the Natural Gas Distribution System within five (5) years after it acquires the said system and the Municipality receives any bona fide offer from an arms-length third party to purchase the Natural Gas Distribution System, which it is willing to accept, then it will promptly give written notice to the Company of the terms and conditions of such offer. The Company will during the next one hundred and twenty (120) days have the first right of refusal to purchase the Natural Gas Distribution System for the same price and upon the same terms and conditions as contained in the said offer.

- e) The Municipality's right of first refusal will not apply where the Company has agreed to transfer the Natural Gas Distribution System to a third party utility company in exchange for certain other assets provided all of the following conditions are met:
  - i. the third party utility can demonstrate to the reasonable satisfaction of the Municipality that it meets the necessary technical and financial requirements to own and operate the Natural Gas Distribution System;
  - ii. the only consideration that will be exchanged between the Company and the third party utility company is the transfer and exchange of assets and monetary consideration limited to a maximum of 49% of the net book value of the Natural Gas Distribution System;
  - iii. there is no adverse impact to the Municipality resulting from the transfer and exchange above referenced as determined by the Commission;
  - iv. the Company and the third party utility company obtain all the requisite regulatory requirements prior to completing the transfer and exchange; and
  - v. full compensation is paid to the Municipality for all reasonable costs including administrative and legal costs incurred by the Municipality in ensuring all of the conditions i) through iv) above are satisfied.

### **13) Construction and/or Maintenance of Natural Gas Distribution System**

#### **a) Municipal Approval**

Before undertaking any Major Work, or in any case in which the Municipality specifically requests any Major Work, the Company will submit to and obtain the written approval from the Municipality, or its authorized officers, of the Plans and Specifications for the proposed Major Work and its location. Approval by the Municipality granted in accordance with this paragraph will be limited to an approval of the location and alignment of the Major Work only, and will not signify approval of the structural design or the ability of the work to perform the function for which it was intended.



Prior to commencing the Work, the Company will obtain such other applicable permits as are required by the Municipality. The Company will notify the Municipality of all Work done within the Municipal Service Area prior to commencing the Work where reasonably practicable. However, only Major Work is subject to a formal approval process.

The Company will obtain prior written approval from the Municipality for any traffic lane or sidewalk closures required to be made at least forty-eight (48) hours prior to the commencement of the proposed Work.

For the purposes of obtaining the approval of the Municipality for Major Work under this Agreement, the Company will provide the Municipality with the Plans and Specifications for the proposed Major Work in Electronic Format (or upon request, the Company will provide the Municipality with a hard copy of the materials). The Plans and Specifications will include a description of the project and drawings of a type and format generally used by the Company for obtaining approvals from municipalities and will illustrate the proposed changes to the Natural Gas Distribution System.

b) Restoration of Municipal Property

The Company agrees when it or any agent employed by it undertakes any Work on any Municipal Property, the Company will complete the said Work promptly and in a good and workmanlike manner and, where applicable, in accordance with the approved Plans and Specifications. Further, and unless otherwise agreed to by the Parties, the Company will forthwith restore the Municipal Property to the same state and condition, as nearly as reasonably possible, in which it existed prior to the commencement of such Work, subject to reasonable wear and tear and to the satisfaction of the Municipality acting reasonably.

The Company will, where reasonably practicable and prudent, locate its pipelines and related equipment in lanes and alleys rather than in the streets and main thoroughfares.

The Company further covenants it will not unduly interfere with the works of others or the works of the Municipality. Where reasonable and in the best interests of both the Municipality and the Consumer, the Company will cooperate with the Municipality and coordinate the installation of the Natural Gas Distribution System along the designated rights-of-way pursuant to the direction of the Municipality. During the performance of the Work, the Company will use commercially reasonable efforts to not interfere with existing Municipal Property and to cause as little damage as possible to the property of others (including the Municipality Property). If the Company causes damage to any existing Municipal Property during the performance of any Work, it will cause such damage to be repaired at its own cost.

Upon default by the Company or its agent to repair damage caused to Municipal Property as set out above, the Municipality may provide written notice to the

Company to remedy the default. If the default is not remedied within two (2) weeks after receipt of the written notice or such further time as may be reasonably required and requested by the Company using best efforts on a commercially reasonable basis to remedy the default, the Municipality may undertake such repair work and the Company will be liable for the reasonable costs thereof.

c) Urgent Repairs and Notification to Municipality



If any repairs or maintenance required to be made to the Natural Gas Distribution System are of an urgent nature where the operation or reliability of the Natural Gas Distribution System is materially compromised or potentially materially compromised, the Company will be entitled to conduct such repairs or maintenance as are commercially reasonable without prior notice to the Municipality and, unless otherwise specified by the Municipality, the Company will provide notice to the Municipality as soon as practicable and, in any event, no later than seventy-two (72) hours after the repairs are commenced.

d) Company to Obtain Approvals from Other Utilities

The Company will be solely responsible for locating, or causing to be located, all existing utilities or utility mains, pipes, valves and related facilities in, on or adjacent to the Work site. The Company will notify all other utility operators and ensure utilities and utility mains, pipes, valves and related facilities are staked prior to commencement of construction. Unless the Municipality has staked the location for the utility property, staking will not be deemed to be a representation or warranty by the Municipality the utility or utility property are located as staked. The Municipality will not be responsible for any damage caused by the Company to any utility or any third party as a result of the Company's Work, unless the Municipality has improperly staked the utility property. Approval must be obtained by the Company from the owner of any third party utility prior to relocation of any facility owned by such third party utility.

e) Revised Plans and Specifications

Following completion of the Major Work, the Company will provide the Municipality with the revised Plans and Specifications, updated after construction, in Electronic Format, where available and upon request, the Company will provide the Municipality with a hard copy of the materials within three (3) months of the request. The Company will provide the Municipality with copies of any other revised Plans and Specifications as reasonably requested by the Municipality. For the purposes of this paragraph and paragraph 11, the Company may satisfy its obligations to provide revised Plans and Specifications in Electronic Format by:

- i. advising the Municipality the revised Plans and Specifications are posted to a web-based forum that contains such information; and
  - ii. allowing the Municipality access to such web-based forum.
- 
- 

f) Approvals

Where any approvals are required to be obtained from either Party under this paragraph, such approvals will not be unreasonably withheld.

The Company will ensure all Work is performed in accordance with the requirements of all applicable legislation, rules and regulations. The Company will immediately notify the Municipality of any lien, claim of lien or other action of which it has or reasonably should have knowledge, and will cause the same to be removed within thirty (30) days (or such additional time as the Municipality may allow in writing), failing which the Municipality may take such action as it reasonably deems necessary to remove the same and the entire cost thereof will be immediately due and payable by the Company to the Municipality.

**14) Responsibilities For Cost of Relocations**

- a) Upon receipt of one (1) year's notice from the Municipality, the Company will, at its own expense, relocate to Municipal Property such part of the Natural Gas Distribution System that is located on Municipal Property as may be reasonably required by the Municipality due to planned municipal construction. In order to encourage the orderly development of Municipal facilities and the Natural Gas Distribution System, the Municipality and the Company agree they will meet regularly to:
  - i. review the long-term facility plans of the Municipality and the Company; and
  - ii. determine the time requirements and costs for final design specifications for each relocation. Providing the Municipality is not the developer requesting the relocation for commercial or residential resale to third parties, the Company will bear the expenses of the required relocation.
- b) Notwithstanding the foregoing, the Company will not be required to move any part of the Natural Gas Distribution System after receipt of notice from the Municipality in accordance with this paragraph where:
  - i. the Company has illustrated to the satisfaction of the Municipality, acting reasonably, an appropriate Alternative Course of Action is available;
  - ii. the Municipality has provided the Company with its written approval of the Alternative Course of Action (which approval may not be unreasonably withheld by the Municipality); and
  - iii. the Company has provided its written undertaking to carry out the Alternative Course of Action promptly and within a sufficiently short period of time so as to ensure the Municipality will be left with sufficient time to complete the said planned municipal construction within the Intended Time Frame (taking into account any delays which the Municipality may encounter as a result of the





Company utilizing the Alternative Course of Action).

- c) For the purposes of this paragraph 14, the term "Alternative Course of Action" will mean any course of action that will enable the Municipality to complete the said Municipal construction and will result in a net cost savings to the Company (taking into account all additional costs incurred by the Company in carrying out the Alternative Course of Action and any additional costs which the Municipality may incur and which the Company will be required to pay in accordance with this paragraph 14 and "Intended Time Frame" will mean the period of time within which the Municipality would have reasonably been able to complete the said Municipal construction if the Company would have relocated the Natural Gas Distribution System in accordance with this paragraph 14.

If the Municipality agrees to permit the Company to utilize an Alternative Course of Action, the Company will pay any and all costs incurred in carrying out the Alternative Course of Action and will pay on demand to the Municipality (on a full indemnity basis) any and all costs incurred by the Municipality:

- i. in conducting a review of the Alternative Course of Action to determine whether the Alternative Course of Action is acceptable to the Municipality;
- ii. in modifying any plans the Municipality may have prepared in respect of the said municipal construction ("Modified Plans") or in preparing or developing plans and procedures ("Work Around Procedures") to work around the Natural Gas Distribution System or any improvement, thing, or component utilized by the Company in effecting the Alternative Course of Action; and
- iii. in the course of conducting the said planned municipal construction where such costs would not have been incurred by the Municipality if the Company had relocated the Natural Gas Distribution System in accordance with this paragraph 14 (including any reasonable additional cost the Municipality may incur in completing the said municipal construction in accordance with the Modified Plans or in effecting any Work Around Procedures).

d) The following example illustrates the intended application of the foregoing provisions:

Where:

- i. The Municipality requires the Company to move a Natural Gas line so the Municipality can replace its own sewer lines. The cost of moving the Natural Gas line is \$10,000. The cost of carrying out the replacement of the sewer line after moving the Natural Gas line is \$40,000;
- ii. The Company proposes to simply brace the Natural Gas line (at a cost of \$2,000) and the Municipality, acting reasonably, approves of this as an Alternative Course of Action;



- iii. As a result of having to prepare Modified Plans and to prepare and implement Work Around Procedures to work around the braces, the actual cost incurred by the Municipality in replacing the sewer line is \$45,000 (being a net increase in cost of \$5,000); the Company is required to pay the \$2,000 cost of the bracing together and the additional cost of \$5,000 incurred by the Municipality (resulting in a net savings of \$3,000 to the Company).

In cases of emergency, the Company will take all measures that are commercially reasonable and necessary to ensure public safety with respect to relocating any part of the Natural Gas Distribution System that may be required in the circumstances.

If the Company fails to complete the relocation of the Natural Gas Distribution System or fails to repair or do anything else required by the Company pursuant to this subparagraph without valid justification and in a timely and expeditious manner to the satisfaction of the Municipality's representative, acting reasonably, the Municipality may, but is not obligated to, complete such relocation or repair and the Company will pay the reasonable costs of such relocation or repair forthwith to the Municipality. If the Municipality chooses to complete such relocation or repair the Municipality will ensure such work is completed using the Company's design specifications and standards, as provided by the Company, including the use of good and safe operating practices.

The Municipality is not responsible, either directly or indirectly, for any damage to the equipment which forms part of the Natural Gas Distribution System which may occur during its installation, maintenance or removal by the Company, nor is the Municipality liable to the Company for any losses, claims, charges, damages and expenses whatsoever suffered by the Company including claims for loss of revenue or loss of profits, on account of the actions of the Municipality, its agents or employees, working in, under, over, along, upon and across its highways and rights-of- ways or other Municipal Property other than direct loss or damage to the Company caused by the negligence or willful misconduct of the Municipality, its agents or employees.

In the event the relocation or any part thereof requires the approval of a third party, the Municipality will use reasonable efforts to assist the Company in any negotiation with such third party to obtain the necessary approval(s).

In the event the relocation results from the demand or order of an authority having jurisdiction, other than the Municipality, the Municipality will not be responsible for any of the costs of such relocation.

## **15) Natural Gas Distribution System Expansion**

Subject to the Terms and Conditions, and at no cost to the Municipality unless otherwise provided for under the Terms and Conditions, the Company will, on a timely basis, use its best efforts on a commercially reasonable basis to meet the Natural Gas Distribution System expansion requests of the Municipality or a Consumer and provide the requisite



facilities for connections for new Consumers to the Natural Gas Distribution System.

**16) Increase in Municipal Boundaries**

Where the Municipality increases its geographical area, through annexation or amalgamation, as understood under the MGA, by the greater of 640 acres and twenty five (25%) percent of the current area or more, the Municipality will have the option to:

- a) terminate this Agreement provided the Municipality gives notice in writing to the Company of its intention to do so; or
- b) add the increased area to the Municipal Service Area already served by the Company so that the rights and obligations contained in this Agreement will apply in respect of the Municipal Service Area, including the increased area.

For all other increases to the Municipal Service Area through annexation or amalgamation as understood under the MGA, the rights and obligations contained in this Agreement will apply in respect of the whole Municipal Service Area, including the increased area.

**17) Joint Use of Municipal Rights-of-Way**

a) Municipal Use

The Municipality will upon written notice to the Company have, for any reasonable municipal purpose, the right to make use of any municipal rights-of-way granted to the Company by the Municipality, provided such use complies with good and safe operating practices, as determined by the Company acting reasonably, applicable legislation, and does not unreasonably interfere with the Company's use thereof, at no charge to the Municipality. The Municipality is responsible for its own costs and any necessary and reasonable costs incurred by the Company including the costs of any alterations that may be required in using municipal rights-of-way.

b) Third Party Use and Notice

If any third party, including other utilities, desire to jointly use the municipal rights-of-way, the Company agrees it will not grant the third party joint use except in accordance with this paragraph, or unless otherwise directed by any governmental authority or court of law having jurisdiction.

The Company agrees the following procedure will be used in granting permission to third parties desiring joint use of the municipal rights-of-way:

- i. first, the third party will be directed to approach the Company to initially request conditional approval from the Company to use that part of the municipal rights-

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of-way it seeks to use;

- ii. second, upon receiving written conditional approval from the Company, the third party will be directed to approach the Municipality to obtain its written approval to jointly use that part of the municipal rights-of-way. As a condition of granting its consent, the Municipality may require such third party enter into an agreement with the Municipality, and such agreement may require such third party pay compensation to the Municipality; and
- iii. third, upon receiving written conditional approval from the Municipality, the third party will be directed to obtain final written approval from the Company to jointly use that part of the municipal rights-of-way. Once a joint use agreement has been entered into between the Company and the third party, it will not be subsequently amended without the written consent of the Municipality (which consent will not be unreasonably withheld).

c) Cooperation

The Company and the Municipality agree they will use reasonable efforts to cooperate with each other in encouraging the use of joint trenching and in any negotiations with third parties desiring joint use of any part of the municipal rights-of-way located on Municipal Property.

d) Payment

The compensation paid or to be paid by such third party to the Municipality for the use of the Municipal Property including its rights-of-way, will be determined between the Municipality and the third party.

The compensation paid or to be paid by such third party to the Company for the joint use of any portion of the municipal rights-of-way will be determined between the Company and the third party, subject to the jurisdiction of any governmental authority over the matter and the Municipality's right to intervene in any related regulatory proceeding.

e) Provision of Agreements

Upon reasonable request by the Municipality, copies of these agreements will be updated by the Company and provided to the Municipality at no cost to the Municipality.

**18) Municipality as a Retailer**

The provisions of this Agreement will not in any way restrict the right of the Municipality to become a retailer within the meaning of the GUA.

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## **19) Reciprocal Indemnification and Liability**

- a) The Company will indemnify and save the Municipality, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and expenses (including all legal costs and disbursements), including indemnity from and against any claim, loss, cost, demand and legal or other expense, whether in respect of any lien, encumbrance or otherwise, arising out of any Work performed by or for the Company, which may be brought against or suffered, sustained, paid or incurred by the Municipality, its servants, agents, employees, contractors, licensees and invitees, arising from, or otherwise caused by:
  - i. any breach by the Company of any of the provisions of this Agreement; or
  - ii. the negligence or willful misconduct of the Company, or any of its servants, agents, employees, licensees, contractors or invitees in carrying on its business within the Municipal Service Area.
- b) The Municipality will indemnify and save the Company, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and expenses (including all legal costs and disbursements) which may be brought against or suffered, sustained, paid or incurred by the Company, its servants, agents, employees, licenses, contractors and invitees, arising from, or otherwise caused by:
  - i. any breach by the Municipality of any of the provisions of this Agreement; or
  - ii. the negligence or willful misconduct of the Municipality, or any of its servants, agents, employees, licensees, contractors or invitees, in carrying on the business of the Municipality.
- c) Notwithstanding anything to the contrary herein contained, in no event will the Municipality or the Company be liable under this Agreement, in any way, for any reason, for any indirect, special or consequential damages (including damages for pure economic loss, loss of profits, loss of earnings or loss of contract), howsoever caused or contributed to.

## **20) Assignment**

In the event the Company agrees to sell the Natural Gas Distribution System to a third party purchaser, the Company will comply with paragraph 10 above. In addition, the Company will request the third party purchaser confirm in writing it will agree to all the terms and conditions of this Agreement between the Company and the Municipality. The Company agrees it will provide to the Municipality a copy of the third party purchaser's confirmation letter.



The Company agrees to provide the Municipality with reasonable prior written notice of a sale of the Natural Gas Distribution System to a third party purchaser. The Parties will thereafter meet to discuss the technical and financial capabilities of the third party purchaser to perform and satisfy all terms and conditions of the Agreement, and the compensation payable to the Municipality for all costs including administrative and legal costs relating to providing its written consent to the Assignment ("Municipal Compensation").



The Municipality has thirty (30) days from the meeting date with the Company to provide written notice to the Company of its intention to consent or withhold its consent to the assignment of the Agreement to the third party purchaser. The Company agrees the Municipality may provide notice of its intention to withhold its consent to the assignment of this Agreement to the third party purchaser if the Municipal Compensation is inadequate or if the third party purchaser fails to covenant, in favour of the Municipality, to perform and observe all of the covenants and obligations of the Company to be performed and observed under this Agreement and otherwise solely on the basis of reasonable and material concerns regarding the technical capability or financial wherewithal of the third party purchaser to perform and satisfy all terms and conditions of the Agreement. In this case, such notice to the Company must specify in detail the Municipality's concern.

Should the Municipality not reply within the thirty (30) day period, it is agreed the Municipality will be deemed to have consented to the assignment. The Company further agrees when it applies to the Commission for approval of the sale, it will include in the application any notice received from the Municipality, including the reasons given by the Municipality for withholding its consent. The Municipality will have the right to make its own submissions to the Commission.

Subject to the Company having fulfilled the obligations outlined in the preceding three paragraphs, the Company will be entitled to assign this Agreement to an arm's length third party purchaser of the Natural Gas Distribution System without the consent of the Municipality, subject to paying the Municipal Compensation for the assignment, and having obtained the Commission's approval for the sale of the Natural Gas Distribution System and, the third party purchaser's confirmation in writing that it agrees to all the terms and conditions of this Agreement.

Where the Commission approves such sale of the Natural Gas Distribution System to a third party and the third party provides written confirmation to assume all liabilities and obligations of the Company under this Agreement, then upon the assignment of this Agreement and the payment of the Municipal Compensation for its consent to the Assignment subject to Commission approval, the Company will be released from all its liabilities and obligations thereunder.

The Company will be entitled to assign this Agreement to a subsidiary or affiliate of the Company without the Municipality's written consent. Where the Company assigns this Agreement to a subsidiary or affiliate, the Company will remain jointly and severally



liable.

Further, it is a condition of any assignment that the subsidiary, affiliate or third party purchaser, as the case may be, will provide written notice to the Municipality indicating it will assume all liabilities and obligations of the Company under this Agreement.

Any disputes arising under the operation of this paragraph will be submitted to the Commission for determination.

## 21) Notices

- a) All notices, demands, requests, consents, or approvals required or permitted to be given pursuant to the terms of this Agreement will be in writing and will be deemed to have been properly given if personally served, sent by registered mail or sent in Electronic Format to the Municipality or to the Company as the case may be, at the addresses set forth below:

To the Company:

ATCO GAS AND PIPELINES LTD.

Attention: Senior Director, District Operations  
5<sup>th</sup> Floor ATCO Centre 909 – 11<sup>th</sup> Avenue, SW  
Calgary, Alberta T2R-1L8  
\_\_\_\_\_  
Phone (403) 245-7749 Fax (403) 245-7405

To the Municipality:

TOWN OF PICTURE BUTTE

Attention: Chief Administrative Officer  
PO Box 670  
Picture Butte, Alberta T0K-1V0  
\_\_\_\_\_  
Phone (403) 732-4555 Fax (403) 732-4334

- b) The date of receipt of any such notice as given above, will be deemed to be as follows:
- i. In the case of personal service, the date of service;
  - ii. In the case of registered mail, the seventh (7th) business day following the date of delivery to the Post Office, provided, however, in the event of an interruption of normal mail service, receipt will be deemed to be the seventh (7th) day following the date on which normal service is restored; or
  - iii. In the case of delivery in Electronic Format, the date the notice was actually received by the recipient or, if not a business day, then the next business day.



**22) Interruptions or Discontinuance of Delivery Service**

Subject to its Delivery Tariff, the Company will use its best efforts on a commercially reasonable basis to avoid and minimize any interruption, reduction or discontinuance of Natural Gas Distribution Service to any Consumer. However, the Company reserves the right to do so for any one of the following reasons:

- a) Where the Company is required to effect necessary repairs or changes to the Natural Gas Distribution System;
- b) On account of or to prevent fraud or abuse of the Natural Gas Distribution System;
- c) On account of defective aspects of the Natural Gas Distribution Systems which in the opinion of the Company, acting reasonably, may become dangerous to life or property;
- d) Where required, under the Terms and Conditions, due to a Consumer's non-payment of Natural Gas bills.

To the extent the Company has any planned major interruptions, reductions or discontinuances in Natural Gas Distribution Service, it will notify the Municipality in writing as soon as practicable in the circumstances. For any other major interruption, reductions or discontinuances in Natural Gas Distribution Service, the Company will provide notice (in a format acceptable to the Municipality) as soon as is practicable in the circumstances.

**23) Dispute Settlement**

- a) If any dispute or controversy of any kind or nature arises relating to this Agreement or the Parties' rights or obligations hereunder, the Parties agree such dispute or controversy will be resolved by negotiation, and where such negotiation does not result in the settlement of the matter within thirty (30) days of notice of such dispute being provided by one Party to the other Party, and to the extent permitted by law, the Company and Municipality agree that unresolved disputes pertaining to this Agreement, other than those contemplated in paragraphs 3 and 20 and Section 3 of Schedule "A", or those related to the sale of the Natural Gas Distribution System as contemplated in paragraphs 10 and 12 hereof, or any other matter within the exclusive jurisdiction of a governmental authority having jurisdiction, will be submitted to arbitration for determination and may be commenced by either Party providing written notice to the other Party stating the dispute to be submitted to arbitration.

The Parties will attempt to appoint a mutually satisfactory arbitrator within ten (10) business days of the said notice. In the event the Parties cannot agree on a single arbitrator within the ten (10) business days, the dispute will be forwarded to the Commission for resolution or determination.



In the event the Commission declines to assist in resolving the dispute or declines to exercise or claim jurisdiction respecting the dispute, both Parties agree to have the dispute resolved by an arbitration panel in accordance with the following procedure.

Each Party will appoint an arbitrator within the ten (10) business days thereafter by written notice, and the two arbitrators will, together, appoint a third arbitrator within twenty-five (25) business days of written notice for arbitration. The dispute will be heard by the arbitration panel within forty-five (45) business days of the written notice for arbitration unless extended by mutual agreement between the Parties. The arbitration panel will render a decision within twenty (20) business days of the last day of the hearing.

Except, as otherwise expressly provided in this Agreement, the provisions of the Arbitration Act (Alberta) (as amended from time to time) will apply to any arbitration undertaken under this Agreement subject always to the Commission's jurisdiction over any matter submitted to arbitration. Pending resolution of any dispute, the Municipality and the Company will continue to perform their respective obligations hereunder.

- b) The Company will advise the Commission of any dispute submitted to arbitration within ten (10) business days of it being submitted and will advise the Commission of the results of arbitration within ten (10) business days following receipt of the decision of the arbitrator(s).

## **24) Application of Water, Gas and Electric Companies Act**

This Agreement will be deemed to operate as consent by the Municipality to the exercise by the Company of those powers which may be exercised by the Company with the consent of the Municipality under and pursuant to the provisions of the *Water, Gas and Electric Companies Act* (Alberta), as amended.

## **25) Force Majeure**

If either Party fails to meet its obligations hereunder within the time prescribed, and such failure is caused or materially contributed by an event of "force majeure", such failure will be deemed not to be a breach of the obligations of such Party hereunder, but such Party will use its best efforts on a commercially reasonable basis to put itself in a position to carry out its obligations hereunder. The term "force majeure" will mean any acts of God, strikes, lock-outs, or other industrial disturbances, acts of the Queen's enemies, acts of terrorism (either foreign or domestic), sabotage, war, blockades, insurrections, riots, epidemics, lightening, earthquakes, storms, fires, wash-outs, nuclear and radiation activity or fall-out, restraints of rulers and people, orders of governmental authorities or courts of law having jurisdiction, the inability to obtain any necessary approval from a governmental authority (excluding the Municipality) having

jurisdiction, civil disturbances, explosions, mechanical failure, and any other causes similar in nature not specifically enumerated or otherwise specified herein that are not within the control of such Party, and all of which by the exercise of due diligence of such Party could not have been prevented. Lack of finances will be deemed not to be an event of "force majeure".

**26) Terms and Conditions**

The Terms and Conditions applicable to the Company and approved by the Commission, as revised or amended from time to time by the Commission, will apply to the Municipality. Nothing in this Agreement is intended to supersede the Terms and Conditions.

**27) Not Exclusive Against Her Majesty**

Notwithstanding anything to the contrary herein contained, it is mutually understood and agreed the rights, powers and privileges conferred and granted by this Agreement will not be deemed to be exclusive against Her Majesty in right of the Province of Alberta.

**28) Severability**

If for any reason any covenant or agreement contained in this Agreement, or the application thereof to any Party, is to any extent held or rendered invalid, unenforceable or illegal, then such covenant or agreement will be deemed to be independent of the remainder of this Agreement and to be severable and divisible from this Agreement. The invalidity, unenforceability or illegality will not affect, impair or invalidate the remainder of this Agreement or any part thereof. The intention of the Municipality and the Company is that this Agreement would have been executed without reference to any portion which may, for any reason or to any extent, be declared or held invalid, unenforceable or illegal.

**29) Amendments**

This Agreement may only be amended by written agreement of the Parties, such amendments to be subject to any regulatory approvals required by law.

**30) Waiver**

A waiver of any default, breach or non-compliance under this Agreement is not effective unless in writing and signed by the Party to be bound by the waiver. No waiver will be inferred from or implied by any failure to act or delay in acting by a Party in respect of any default, breach or non-observance or by anything done or omitted to be done by the other Party.

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The waiver by a Party of any default, breach or non-compliance under this Agreement will not operate as a waiver of that Party's rights under this Agreement in respect of any continuing or subsequent default, breach or non-compliance under this Agreement (whether of the same nature or any other nature).

**31) Confidentiality**

The Company acknowledges the Municipality is governed by the provisions of the *Freedom of Information and Protection of Privacy Act* (Alberta).

IN WITNESS WHEREOF the Parties hereto have executed these presents as of the day and year first above written.

**(Municipality)**

PER: \_\_\_\_\_

PER: \_\_\_\_\_

**(Company)**

PER: \_\_\_\_\_

PER: \_\_\_\_\_



## SCHEDULE "A" Core Services

The Company will provide to the Municipality the following basic services as Core Services:

- 1) The Company will deliver Natural Gas to the Consumers in accordance with the Company's Terms and Conditions, the Company's Distribution Tariff, the GUA, any regulations thereto, and any Commission orders and decisions.
- 2) The Company will install all Natural Gas facilities required to provide service to the Consumers in accordance with all applicable regulations, codes, applicable standards and common industry practices.
- 3) As required by legislation, the Company will provide and install all necessary regulators and meters necessary for measuring the Natural Gas supplied to each Consumer.
- 4) The Company agrees to collaborate with the Municipality's emergency response services in an effort to mutually develop emergency response procedures relating to Natural Gas emergencies.
- 5) The Company will provide personnel twenty-four (24) hours a day to investigate and make safe any suspected gas leak inside or outside the Consumer's premises.
- 6) The Company will utilize the services of qualified personnel for designing all Natural Gas facilities to satisfy all applicable regulatory codes and standards, preparing necessary work order plans and monitoring the distribution network pressures to ensure the Company's facilities will satisfy the Consumer's current and future Natural Gas delivery requirements.
- 7) The Company will provide to the Municipality, on request, copies of any and all Natural Gas Distribution Service related written or electronic, where available information or reports required to be filed with the Commission by the Company.
- 8) The Company will provide to the Municipality, upon request and to the extent the information is available, an annual report on the following standards:
  - a) **System Reliability** - will be measured by:
    - i. The number of major outages resulting in a loss of service to Consumers;
    - ii. The number of Consumers affected by each major outage; and
    - iii. The duration of each major outage.
  - b) **Consumer Satisfaction** - will be measured by:



- i. Company-wide call centre targets and statistics (wait times, abandoned calls, call volumes, etc.); and
- ii. any Consumer complaints received by the Commission.

c) **Public Safety** - will be measured by:

- i. the number of customer injuries and/or damages due to Natural Gas Distribution System failure;
- ii. the number of line hits per total locates completed;
- iii. the number of line hits as a result of inaccurate locates;
- iv. the percentage of the area of the Municipality surveyed for leaks and yearly cathodic protection measures;
- v. the number and nature of calls received from the Municipality and any of its Municipal agencies (including fire department, police department etc.) regarding the Natural Gas Distribution System.

9) Once per year, upon request and subject to any applicable privacy legislation, the GUA Code of Conduct Regulation or other rules prohibiting or restricting such disclosure, the Company will provide to the Municipality:

- a) The total number of sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- b) The total gigajoules (GJ) of Natural Gas consumed by Consumers billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- c) The franchise fee revenue billed to Consumers within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- d) Where the Municipality is the customer of record and the Municipality provides a list of those sites to the Company on the form provided by the Company:
  - i. The total number of those sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
  - ii. The total gigajoules (GJ) of Natural Gas at those sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
  - iii. The franchise fee revenue billed to those sites within the Municipal Service Area,



by Company rate class, per revenue month, for each of the last two (2) years; and

- e) Such other information as may be agreed upon by the Parties from time to time.

Where privacy legislation, the GUA Code of Conduct Regulation or other rules prohibiting such disclosure prevent the Company from providing the information above, the Company will make reasonable attempts to aggregate the information so as to comply with the applicable rules. The Company will not be obligated to provide such aggregated information if it believes such aggregation will not allow the Company to comply with the applicable rules.

- 10) Upon request by either Party, the Company will meet with the Municipality. Through a mutual exchange of information the Company will keep the Municipality apprised of the Company's construction and upgrading programs planned for the Municipal Service Area and the Municipality will advise the Company of any issues or plans relating to, or potentially impacting, the Natural Gas Distribution System.

#### **SCHEDULE "B" Extra Services**

Nothing in this Agreement precludes the Parties from contracting for Extra Services outside the provisions of this Agreement. In the event the Parties do elect to contract for the provision of Extra Services within the provisions of this Agreement and unless otherwise agreed upon by the Parties, nothing in this Agreement will preclude the Company from sub-contracting with third parties for the provision of Extra Services.

Subject to Commission approval, as may be required, any payments from the Municipality to the Company for Extra Services, if agreed to by the Municipality, may be deducted from the Franchise Fee collected from Consumers and otherwise remitted to the Municipality pursuant to paragraph 5 of this Agreement. The timing and quantum of such payments will be as agreed upon by the Parties and set forth as an amendment to this Schedule.

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# **TOWN OF PICTURE BUTTE**

## **BYLAW #852-16**

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE ESTABLISHMENT OF RULES AND REGULATIONS TO REGULATE VEHICLE, ANIMAL AND PEDESTRIAN TRAFFIC;**

**WHEREAS** the Traffic Safety Act authorizes a municipality to regulate and control vehicle, animal and pedestrian traffic and parking on the highways and on other property within the municipality;

**WHEREAS** the Municipal Government Act allows a municipality to pass Bylaws and delegate authority with respect to highways under its direction, control and management and transport thereon;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled **HEREBY ENACTS AS FOLLOWS:**

### **PART 1 – TITLE**

1.1 This Bylaw may be cited as *"The Traffic Bylaw"*.

### **PART 2 – DEFINITIONS**

*The definitions contained in Section 1 of the Traffic Safety Act of Alberta, Section 1 of the Commercial Vehicle Dimension and Weight Regulation of Alberta, and Section 1 of the Use of Highway and Rules of the Road Regulations of Alberta shall apply to this Bylaw unless specifically set out herein:*

- 2.1 "ACT" means the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto;
- 2.2 "ALLEY" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land and is considered a highway for the purposes of this Bylaw;
- 2.3 "BOULEVARD" means the portion of highway between the curb lines or lateral lines of a roadway and the adjoining property lines, exclusive of the sidewalk; also that portion of a street between the curb lines or lateral lines of a divided roadway;
- 2.4 "CHIEF ADMINISTRATIVE OFFICER" means the person appointed by Council in accordance with Section 205 of the Municipal Government Act and is referred to throughout this Bylaw as CAO;
- 2.5 "COUNCIL" means the Council of the Town of Picture Butte;
- 2.6 "COMMERCIAL VEHICLE" means a commercial vehicle as defined in the Act. A public passenger vehicle shall be deemed to be excluded from the definition of a Commercial Vehicle while engaged in the transportation of passengers;
- 2.7 "CROSS-WALK" means;

2.7.1 That part of a roadway at an intersection included within the connection of the

lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edge of the roadway, or

2.7.2 Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by line or other markings on the road surface;

2.8 "CURB" means the actual curb, if there is one, and if there be no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;

2.9 "EXTENDED PERIOD OF TIME" means the amount of time determined at the discretion of a Peace Officer;

2.10 "HEAVY VEHICLE" means a motor vehicle, alone or together with any trailer, semi-trailer, or other vehicle being towed by the motor vehicle with a registration gross weight of 5000 kilograms or more and/or exceeding 11.0 metres in total length. A public passenger vehicle shall be deemed to be excluded from the definition of a Heavy Vehicle while engaged in the transportation of passengers.

2.11 "HIGHWAY" means a highway as defined in the Act;

2.12 "IDENTIFICATION PERMIT" means a coloured symbol supplied by the CAO upon acceptance of application to the owner of a motor vehicle in relation to Part 9(9.3);

2.13 "MOTOR VEHICLE" means a motor vehicle as defined in the Act;

2.14 "OFF-HIGHWAY VEHICLE" as defined in the Act, means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

2.14.1 4-wheel drive vehicles,

2.14.2 low pressure tire vehicles,

2.14.3 cycles and related 2-wheel vehicles,

2.14.4 amphibious machines,

2.14.5 all terrain vehicles,

2.14.6 miniature motor vehicles,

2.14.7 snow vehicles,

2.14.8 minibikes, and

2.14.9 any other means of transportation that is propelled by any power other than muscular power or wind,

**BUT DOES NOT INCLUDE**

2.14.10 motor boats, or



2.14.11 any other vehicle exempted from being an off-highway vehicle by regulation;

- 2.15 "OPERATOR" means a person who drives or is in actual physical control of a vehicle;
- 2.16 "OWNER" means owner as defined in the Act;
- 2.17 "PARADE or PROCESSION" shall mean any group of pedestrians (excepting a military or funeral procession) numbering more than 15, marching or walking on a highway or a procession of vehicles on a highway (excepting a military or funeral procession) numbering 10 or more or a procession or march organized for the purpose of entertainment of spectators, displays, inspection or promotion of a cause or purpose;
- 2.18 "PARK" means to allow a vehicle (whether occupied or not) to remain in one place except:
- 2.18.1 When standing temporarily for the purpose of and while actually engaged in loading or unloading, or
- 2.18.2 When standing in obedience to a Peace Officer or traffic control device.
- 2.19 "PASSENGER LOADING SPACE" means a space or section of highway marked with a sign or marking authorized by the Council, permitting parking therein for the period necessary to load or unload passengers;
- 2.20 "PEACE OFFICER" means a member of the Royal Canadian Mounted Police, Municipal Police Officer, Police Constable, Peace Officer, Constable, Bailiff, Bylaw Enforcement Officer or other person employed by the Town for the prevention of disorder and maintenance of public peace and safety;
- 2.21 "PROPERTY LINE" means as located on a real property report for the property in question;
- 2.22 "RECREATION TRAILER" means any trailer that is designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place. Recreation trailers include any travel trailer, fifth wheel trailer, camper not mounted on a truck or any other trailer or object which a Peace Officer deems to be a recreation trailer;
- 2.23 "RECREATION VEHICLE" means any vehicle that is designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place. Recreation vehicles include any motorhome, camper mounted on a truck or any other vehicle or object which a Peace Officer deems to be a recreation vehicle;
- 2.24 "ROADWAY" means that portion of the highway intended for vehicular traffic within the Town;
- 2.25 "SIDEWALK" means a sidewalk as defined in the Act;
- 2.26 "TOWN" means the Corporation of the Town of Picture Butte or the area contained within the corporate boundaries of the Town, as the context requires;
- 2.27 "TRAFFIC" means pedestrians, animals or vehicles while using the highway for the purpose of travel;
- 2.28 "TRAFFIC CONTROL DEVICE" means a traffic control device as defined in the Act;

- 2.29 "TRAFFIC CONTROL SIGNAL" means a traffic control device signal as defined in the Act;
- 2.30 "TRAILER" means a trailer as defined in the Act;
- 2.31 "TREE" shall mean any type of tree or other woody vegetation;
- 2.32 "TRUCK LOADING SPACE" means a space or section of the highway marked for use for the loading or unloading of goods;
- 2.33 "VEHICLE" means a vehicle as defined in the Act;
- 2.34 "VIOLATION TAG" means a document authorized by the Town of Picture Butte and issued pursuant to Part 20 of this Bylaw;
- 2.35 "VIOLATION TICKET" means where a Peace Officer or other authorized official of the Town of Picture Butte believes that any person has committed a breach of any of the Sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 or Part 3 of the Provincial Offences Procedure Act, R.S.A. 2002, c. P-34;

### **PART 3 - SPEED LIMITS**

- 3.1 Pursuant to the provisions of the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto, the maximum speed for the highways within the Town limits is Fifty (50) Kilometres per hour.
- 3.2 The Council shall cause signs to be posted indicating a greater or lesser speed than that prescribed by the Traffic Safety Act, R.S.A. 2000, c. T-6 or indicating that the prescribed speed limit has ceased to apply.
- 3.3 No person shall drive a motor vehicle, in any alley or highway intended chiefly to give access to the rear of buildings and parcel of land at a greater rate of speed than Twenty (20) Kilometres per hour.
- 3.4 The Council may by signs posted along a highway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the highway.
- 3.5 Notwithstanding Section 3.4, the Town has the authority to temporarily reduce the speed limit for the safety of workers.

### **PART 4 - TRAFFIC CONTROL DEVICES**

- 4.1 Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
- 4.1.1 To divide the surface of a roadway into traffic lanes marked by solid or broken lines;
  - 4.1.2 To prohibit "U" turns at any intersection;
  - 4.1.3 To designate any intersection or other place on a highway as an intersection or place at which no left hand turn or right hand turn shall be made;



- 4.1.4 To designate as a one-way street any roadway or portion thereof;
  - 4.1.5 To designate "School Zones" or "Playground Zones";
  - 4.1.6 To designate truck routes;
  - 4.1.7 To set apart a street, highway or part of a highway and to control entry to any highway by means of a "stop" sign or "yield" sign;
  - 4.1.8 To designate a crosswalk upon any highway;
  - 4.1.9 To designate parking stands for use of any particular class of vehicle;
  - 4.1.10 To close or restrict the use of any highway, either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians;
  - 4.1.11 To prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public place or any portion thereof during such hours as he may determine;
  - 4.1.12 To designate and mark guide lines for angle or parallel parking on any highway or other public place or any portion thereof.
- 4.2 The CAO shall cause a record to be kept of the location of all traffic control devices. Those records shall be open to public inspection during normal business hours.
  - 4.3 Notwithstanding any provision of the Bylaw all traffic control devices placed, erected or marked in the Town of Picture Butte prior to the passing of the Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of Section 4.1.
  - 4.4 No unauthorized person shall place upon any highway or upon any structure abutting a highway any sign, mark or notice relating to parking or the use of the highway.
  - 4.5 No unauthorized person shall remove, deface or alter in any way any traffic control device placed, erected or marked pursuant to this Bylaw.

## **PART 5 – PARADES AND PROCESSIONS**

- 5.1 Any person desiring to hold a parade or procession within the Town of Picture Butte shall, at least 5 working days prior to the time they desire to hold the same, make application in writing to the CAO for a permit and in such application shall furnish to the CAO information with respect to the following, namely:
  - 5.1.1 The name and address of the applicant, and if such applicant is an organization, the names, addresses and occupations of the executive thereof;
  - 5.1.2 The nature and object of such parade or procession;
  - 5.1.3 The day, date and hours during which same will be held;

- 5.1.4 The intended route thereof;
- 5.1.5 The approximate number of persons who will take part therein;
- 5.1.6 The approximate size, number and nature of flags, banners, placards or such similar things to be carried therein and particulars of signs, inspections and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertakes to be responsible for the good order and conduct thereof;
- 5.1.7 Proof of minimally \$2,000,000.00 (two million dollars) in liability insurance with the Town named as "Additional Insured"
- 5.2 The CAO may issue a permit with or without conditions, or for any reason that appears to him/her proper, may refuse to issue a permit.
  - 5.2.1 In the case of a refusal, the applicant has a right of appeal to Council who may:
    - 5.2.1.1 Grant or refuse permission for the parade or procession
- 5.3 Where a permit has been issued pursuant to Section 5.2 the CAO shall fix the hour and route of the parade or procession and give such directions to the applicants in regard to such parade or procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the street or sidewalk and tend to prevent a breach of the peace and may erect or cause to be erected such temporary barriers or traffic control devices as he/she deems necessary.
  - 5.3.1 A copy of the permit will be forwarded to the Police, Peace Officer, Fire Chief, and Director of Operations
- 5.4 If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles, shall obey the order and direction of the Peace Officer so regulating traffic.
- 5.5 Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this Bylaw and shall not drive the vehicle into the intersection until it is safe to do so.
- 5.6 No person driving any vehicle or riding or driving a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.
- 5.7 No person shall take part in the organization or conduct of a parade or procession that forms up, attempts to form up or is carried on without a permit having been issued pursuant to Section 5.2.
- 5.8 No person shall fail or refuse to comply with the conditions set forth in the permit issued pursuant to 5.3.

## **PART 6 - FIRES**

- 6.1 In case of a fire within the Town, any Peace Officer or member of the Fire Department may designate in any manner a line or lines near the location of the fire beyond which no member of the



public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross such line or lines.

- 6.2 The Fire Chief of the Fire Department or any person acting under his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department in an emergency situation.

### **PART 7 – VEHICLES WITH LUGS**

- 7.1 No person shall drive, propel, or move on any highway any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread.

7.1.1 Studded winter snow tires shall be exempt from Section 7.1

### **PART 8 - OFF-HIGHWAY VEHICLES**

- 8.1 No person shall operate an off-highway vehicle, as defined in the *Traffic Safety Act*, within the boundaries of the Town unless such use is expressly permitted by Council or the CAO.

### **PART 9 – COMMERCIAL VEHICLES & HEAVY VEHICLES**

- 9.1 For the purpose of Section 9.2, a “heavy vehicle” means a motor vehicle, alone or together with any trailer, semi-trailer, or other vehicle being towed by the motor vehicle with a registration gross weight of 5,000 kilograms or more and/or exceeding 11.0 metres in total length. Notwithstanding the above, a public passenger vehicle shall be deemed to be excluded from the definition of a “heavy vehicle” while engaged in the transportation of passengers.
- 9.2 No person shall operate a heavy vehicle on a highway within the limits of the Town of Picture Butte other than a highway in the Town of Picture Butte which is designated as a truck route in Schedule "A", which Schedule is hereby incorporated into and made part of this Bylaw.
- 9.3 The following shall be deemed to not be operating a heavy vehicle in contravention of Section 9.2 if the heavy vehicle is being operated on the shortest permitted route between the premises or location concerned and the nearest truck route by:
- 9.3.1 persons delivering or collecting goods or merchandise to or from the premises of bona fide customers;
  - 9.3.2 persons going to or from business premises of the owner of the heavy vehicle concerned;
  - 9.3.3 persons going to or from business premises for the servicing or repairing of the heavy vehicle;
  - 9.3.4 persons pulling a disabled vehicle from a highway prohibited to heavy vehicles;
  - 9.3.5 persons moving a house for which the necessary moving permits have been issued by the Town;
  - 9.3.6 persons driving a heavy vehicles engaged in lawful public works or essential services requiring them by the very nature of such work to deviate from established Truck Routes.



- 9.4 No person shall park any commercial vehicle, bus, truck tractor or tractor trailer of the design capacity of more than one (1) tonne or a length of more than six (6) metres upon any highway except where such parking is expressly permitted.
- 9.5 No person shall park a commercial vehicle or a heavy vehicle within the municipal boundaries of the Town in areas designated in the Land Use Bylaw as residential zones unless permitted under Section 9.3.
- 9.6 Unless a permit is obtained from the CAO, no person shall drive or move or cause to be driven or moved on any street, any vehicle which exceeds the dimension or weight requirements prescribed by the COMMERCIAL VEHICLE DIMENSION AND WEIGHT REGULATION, as amended or substituted, under the *Alberta Traffic Safety Act*.
- 9.7 An Identification Permit shall be obtained from the CAO by:
- 9.7.1 persons moving a house for which the necessary permission has been received by the CAO, upon the payment of a prescribed fee which will be set by resolution of Council.
    - 9.7.1.1 The application for an Identification Permit may be refused if all the requirements of this Bylaw are not met or if there are outstanding taxes owing on the property to be moved.
- 9.8 No person shall utilize engine retarder brakes while operating a commercial vehicle or heavy vehicle within the limits of the Town of Picture Butte.
- 9.9 Designated parking for commercial vehicles and heavy vehicles shall be at the following locations:
- 9.9.1 Shoulder of eastbound and westbound lane on Highway Avenue located adjacent to and across from the Gas King. Parking must be between the signs and must comply with any conditions on the signs. This location is identified on the map on the back of Schedule "A" by the letter "A".
  - 9.9.2 Shoulder of eastbound lane on Highway 25 located between the Community/Senior Centre and the Picture Butte Fire Department's building. Parking must be between the signs and comply with any conditions on the signs. This location is identified on the back of Schedule "A" by the letter "B".
  - 9.9.3 Graveled parking lot located on the corner of Highway Avenue and Factory Drive, adjacent to the UFA and Imperial Oil businesses. Parking must not block or be in any entrance or exit to said businesses as well as in or on any approaches to any highway and must comply with conditions on signs. Overnight parking at this location is permitted. This location is identified on the back of Schedule "A" by the letter "C".

## **PART 10 - MAXIMUM WEIGHTS**

- 10.1 For the purposes of this Section "maximum weight" means:
- 10.1.1 The maximum weight permitted for a vehicle and load pursuant to the official registration certificate issued by the Province of Alberta for such vehicles.



- 10.2 No person shall drive or have on the roadway a vehicle or combination of attached vehicles with a weight including or excluding any load thereon, in excess of maximum weight.
- 10.3 Wherever in his/her opinion, there is a contravention of Section 10.2, a Peace Officer may order the driver or other person in charge or control of a vehicle or combination of attached vehicles suspected of being on a roadway in contravention of such Section to take such vehicle or combination of attached vehicles to the nearest adequate weight scale to determine the weight of such vehicle or combination of attached vehicles and load thereof. The weight slip or slips shall be given to the Peace Officer and may be retained by him/her, and if the weight of any loaded vehicle or combination of attached vehicles is in excess of maximum weight, the Peace Officer, in addition to any prosecution for contravention of Section 10.2, may require that any load or portion thereof in excess of maximum weight shall be removed before the vehicle or combination of attached vehicles is again taken upon a highway.
- 10.4 A weight slip given to a Peace Officer under Section 10.3 and submitted by him/her in evidence in court shall be prima facie proof of the authenticity of the weight slip and of the particulars thereon submitted in evidence and of the accuracy of the weight scale used.
- 10.5 A person driving or in charge or control of a vehicle or combination of attached vehicles suspected by a Peace Officer of being on a roadway in contravention of Section 10.2 shall, when requested by the Peace Officer, produce for such officer's inspection any official registration certificate or interim registration certificate for such vehicle or vehicles that may have been issued by the Government of the Province of Alberta showing the maximum weight of such vehicle or combination of attached vehicles.
- 10.6 Particulars obtained by a Peace Officer from a registration certificate produced to him/her under Section 10.5 and submitted by him/her as evidence in court shall be prima facie proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.

## **PART 11 - PEDESTRIANS**

- 11.1 No person or persons shall stand on any highway, crosswalk or sidewalk in such a manner as to:
- 11.1.1 obstruct vehicular or pedestrian traffic,
  - 11.1.2 annoy or inconvenience any other person lawfully upon such highway, crosswalk, or sidewalk,
  - 11.1.3 obstruct the entrance to any building.
- 11.2 No person shall run upon a roadway in such a manner as to impede traffic.
- 11.3 No person shall stand upon or walk along a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

## **PART 12 - PARKING**

- 12.1 The Council will designate properly marked portions of highways where parking is restricted to any particular class or classes of vehicles. No person shall park a vehicle other than a vehicle of such class or classes on the portion on the portion of a highway as marked.
- 12.2 The Council may designate and cause to be properly marked portions of highways upon which



parking is prohibited at any time. No person shall park where prohibited.

- 12.3 The Council may designate portions of the highway for 15-minute to 20-minute parking of vehicles and cause the same to be properly marked by signs.
- 12.4 No person shall park a vehicle on a portion of highway marked pursuant to Section 12.3, for a time in excess of the period so marked.
- 12.5 No person shall park a vehicle in an alley. Alleys, however, may be used for such period of time as may be reasonable necessary for the loading or unloading of passengers or goods from a vehicle, provided that the vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the lane as to prevent other vehicles or persons from passing along such alley while the loading or unloading of passengers or goods is taking place.
- 12.6 The Council may designate portions of the highway as a passenger loading or unloading space and may cause such space to be marked with a sign designating the area as a "loading zone".
- 12.7 Except when actually taking on or discharging passengers, no person shall park or stand a vehicle for any period of time at a passenger loading zone, at a "no parking" area or in front of a main entrance, exit or doorway of a public building.
- 12.8 The Council may designate and cause to be properly marked by signs, portions of the highway as truck loading or unloading spaces.
- 12.9 No person shall park a vehicle in a truck loading or unloading space for a period of time longer than fifteen minutes.
- 12.10 No person shall park any vehicle upon any land owned by the Town of Picture Butte which the Town uses or permits to be used as a playground, recreation area or public park except in designated parking areas.
- 12.11 No person shall park any vehicle, recreation vehicle, recreation trailer or any other class of trailer in their front yard other than on their driveway.
  - 12.11.1 Refer to the Town of Picture Butte Land Use Bylaw for the definition and regulations pertaining to driveways.
- 12.12 Where parking guidelines are visible on a roadway no driver shall park a vehicle except within the limits of the lines designating a parking stand.
- 12.13 No person shall park his/her vehicle with the side thereof parallel to the curb or edge of the roadway when angle parking is permitted or required by means of a sign or parking guidelines.
- 12.14 When angle parking is permitted or required, a driver shall park his vehicle with one front wheel not more than 500 millimeters from the curb or edge of the roadway and with its sides between and parallel to any two of the visible parking guidelines, or at an angle of between 30 and 60 degrees to the curb or edge of the roadway where no parking guidelines are visible.
  - 12.14.1 A person may park a motor cycle at an angle, other than perpendicular, to the curb or edge of the roadway, and with a wheel of the motor cycle not more than 500 millimeters from the curb or edge of the roadway, and the



motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.

- 12.15 Except for a roadway designated as a cul-de-sac, all parking on any highway will be parallel parking unless specified by a traffic control device.
- 12.16 Notwithstanding Section 12.14 of this Part, no vehicle may be parked at an angle to the curb in a cul-de-sac unless that vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.
- 12.17 When parking on a roadway, a driver shall park his vehicle facing the direction of travel authorized for that portion of the roadway on which the vehicle is parked, with its sides parallel to an its wheels not more than 500 millimeters from the curb or edge of the roadway.
- 12.18 No person shall park any vehicle on any highway within the Town for any period of more than 72 consecutive hours.
- 12.19 No owner or operator of any vehicle incapable of being moved under its own power shall cause or permit such vehicle to be parked on a highway within the Town.
- 12.20 No vehicle operator shall drive or park a vehicle upon any highway in such a manner as to block, obstruct, impeded or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway.
- 12.21 The Council may establish, sign or otherwise designate such parking stalls or zones within the Town as Council deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
- 12.22 The owner, tenant, occupant or person in control of private property within the Town to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage and markings used to so designate such parking spaces shall be in a form similar to that approved and used by the CAO.
- 12.23 The owner or operator of a motor vehicle which is not identified by a disabled persons placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated for disabled parking.
- 12.24 Where, pursuant to Sections 12.22 and 12.23, the vehicle is identified by disabled persons placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated for Disabled Parking.
- 12.25 Except as required or permitted by this Bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:
  - 12.25.1 on a sidewalk, boulevard or median except under special circumstances and by request to the Town, when authorized by the CAO;



- 12.25.2 on a crosswalk or on any part of a crosswalk;
- 12.25.3 within an intersection other than immediately next to the curb in a T intersection;
- 12.25.4 at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted;
- 12.25.5 within 5 metres from the stop sign or yield sign;
- 12.25.6 within 5 metres from any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant.
- 12.25.7 within 1.5 metres from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
- 12.25.8 within 5 metres from the near side of a marked crosswalk;
- 12.25.9 alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
- 12.25.10 on any bridge or culvert or on the approaches to either of them;
- 12.25.11 at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
- 12.25.12 on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway;
- 12.25.13 at or near the site of any fire, accident or other emergency, if stopping or parking would obstruct traffic or hinder emergency vehicles or peace officers, firemen, ambulance drivers or assistants or rescue officers or volunteers;
- 12.25.14 unattended on a highway while it is supported by a jack or similar device and if one or more wheels have been removed from the vehicle or part of the vehicle is raised;
- 12.25.15 which does not display a valid registered license plate or which displays a license plate that is expired.

12.26 No person shall cover a vehicle with a tarp, cover, or other similar device while it is parked on a highway in Town or on any other Town owned or public property.

12.26.1 Boats that are securely tarped shall be exempt from 12.26

12.27 Any person who is empowered to enforce the provisions of this Bylaw is hereby authorized to place an erasable chalk mark on the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.

### **PART 13 - RECREATION VEHICLES, TRAILERS & SPECIAL CLASSES OF VEHICLES**

13.1 No person shall park any Recreation Vehicle or Recreation Trailer upon any highway within the Town for any extended period of time.

13.1.1 Notwithstanding Section 13.1, a person may park a recreation vehicle or recreation

trailer upon the area of the street that is immediately adjoining the owner or operators place of residence. This shall be valid for a period not to exceed 72 hours and for the purposes of cleaning, loading and unloading only. This section is only valid during the common camping season months in this region of May through September provided that in so doing no obstruction is caused to vehicular or pedestrian traffic.

13.1.2 For the purpose of Section 13.1.1 a recreation trailer or recreation vehicle shall be deemed to be continuously parked unless the recreation trailer or recreation vehicle has been moved to a suitable off-street location for at least 48 consecutive hours.

13.1.3 Subject to Section 13.1.1, at no time shall a recreation vehicle or recreation trailer have their slides extended out while parked on any public street in the Town.

13.1.4 A recreation vehicle or recreation trailer parked on a public street shall not be occupied or be used as a dwelling or sleeping accommodation.

13.2 Notwithstanding Section 13.1, no person shall park any other class of trailer (whether designed for occupancy by persons or for the carrying of goods, equipment or livestock) upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles throughout this Bylaw.

13.3 The registered owner will be held liable for any charges or penalties under Part 13.

#### **PART 14 - PARKING ON TOWN PROPERTY**

14.1 No person shall operate or park any vehicle upon any land owned by the Town which includes but is not limited to a playground, boulevard, recreation or public park, or any utility right-of-way, except on such part thereof as the CAO may designate by a sign or signs for vehicle use or parking.

14.2 Whether a sign exists or not, the CAO or a Peace Officer has the authority to ask someone to remove their vehicle from Town Property at any time for any reason.

#### **PART 15 - TOWN PARKING LOTS**

15.1 Council may, by resolution, designate such Town owned lands as it deems necessary as Town parking lots.

15.2 No person shall park a vehicle in a Town owned parking lot in contravention of the prohibitions stated on any sign.

15.3 No person shall continue to park in a Town parking lot if asked to leave by a Town employee or a Peace Officer.

15.4 No person shall store any vehicle in any Town parking lot without a permit or authorization from the Chief Administrative Officer. A vehicle shall be deemed to be stored when it remains in the parking lot for 24 consecutive hours or longer. Any vehicle so stored may be removed and stored



by the Town and the costs thereof shall be charged to and shall be payable by the owner, in addition to any fine or penalty imposed in respect to any such violation.

- 15.5 The Town shall not be liable for any loss or damage howsoever caused that may occur to any personal property, including a vehicle while any vehicle is parked on any Town parking lot, upon any Town lands, or as a result of any removal and/or storage pursuant to contravening the regulations found under Part 15.

## **PART 16 - TEMPORARY CLOSING OF HIGHWAYS**

- 16.1 In any case where by reason of any emergency or of any special circumstances which in the opinion of the CAO makes it desirable and in the public interest to do so, the CAO may:
- 16.1.1 temporarily close in any area of the Town, any highway in whole or in part to traffic, or
  - 16.1.2 temporarily suspend in any area of the Town, parking privileges granted by the provision of this or any other By-Law, and the CAO may for such period of time as he deems necessary to meet such emergency or special circumstances, take such measure for the temporary closing of such highway or the suspension of parking privileges and place barricades or post appropriate notices on or near the highway concerned as he may consider to be necessary in the circumstances.
- 16.2 The Town, after clearly posting or signing a roadway or public parking lot a minimum of twelve (12) hours prior may cause a roadway or public parking lot to be cleared of vehicles for the purpose of street cleaning, snow removal, parades or processions, or highway repair. In such cases, the Town may tow and impound vehicles blocking street cleaning, snow removal, parades or processions, or repair equipment at the vehicle owner's expense. All costs for the removal and storage are a lien upon the vehicle, which may be enforced in the manner approved by the Possessory Liens Act R.S.A. 2000 c. P-19.

## **PART 17 - MISCELLANEOUS OFFENSES**

- 17.1 No person shall drive, propel or move on or over any highway within the Town, any vehicle or other type of equipment or thing(s) which damages or is likely to damage the highway.
- 17.2 No person shall lay or place an extension cord for any reason, across a sidewalk or boulevard.
- 17.2.1 A person will be deemed not to be in contravention of Section 17.2 if the electrical extension cord meets the following conditions:
    - 17.2.1.1 conveyed above the surface of the sidewalk or boulevard at a height of not less than 2.15 metres;
    - 17.2.2.2 of a grade approved for outdoor use; and
    - 17.2.2.3 supported and conveyed above a sidewalk or boulevard by a sturdy device of a nonconductive material not susceptible to wind.

17.2.2 The Town may issue an order in regards to the removal of an electrical extension cord and portable supporting device.

17.2.3 Upon failure of the owners, lessees, tenants or agents of the owner to comply with the aforementioned order, the Town may:

17.2.3.1 enter upon the property immediately to remove the electrical extensions cord and portable supporting device if a hazard exists;

17.2.3.2 within seven (7) days of the order, enter upon the property to remove the electrical extension cord and portable supporting device; and

17.2.3.3 charge the cost of the work done to remove the electrical cord and portable supporting device against the property as taxes due and owing and collectible in the same manner as taxes.

17.3 Every person shall be guilty of an offence who:

17.3.1 Coasts on any highway on a sled, toboggan, skis, or roller blades which is being towed by a vehicle,

17.3.2 Washes, repairs, or services a vehicle on or near any roadway, sidewalk, boulevard, or alley within the Town in a manner that allows water, slush, ice, mud, cement, refuse, debris, tar, oil, grease, antifreeze or other vehicle fluids to flow onto or enter upon the roadway, sidewalk, boulevard or alley, or enter any storm water system. Person(s) responsible for such shall be liable for clean-up and/or repair costs.

17.3.3 Places or deposits, or allows the placement or deposit, of any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other matter on a roadway, alley, sidewalk, or boulevard within the Town, excepting vehicles and materials for which specific permission has been granted by the CAO. Person(s) responsible for such shall be liable for clean-up and/or repair costs

17.4 No owner or occupant of private property in the Town shall build, place, erect or continue the existence of fences, walls, or other objects on private property to or adjacent to and within 6.1 metres from a street intersection when such fences, walls or other objects interfere with good visibility for safe traffic flow.

17.4.1 A Peace Officer may serve by regular or registered mail a notice in writing upon any person required to comply with the provisions of 17.4.

17.4.2 The notice in writing shall set forth:

17.4.2.1 A description of the land on or adjacent to which the remedial action is required;

17.4.2.2 The condition that is not in compliance with the Bylaw, including reference to the applicable provision of the Bylaw;

17.4.2.3 Remedial action required;

17.4.2.4 A deadline for compliance.



- 17.4.2.5 The person served with a notice pursuant to the provisions of 17.4 may appeal the notice in writing within 14 days of the issuance of the notice to the Municipal Subdivision and Development Appeal Board upon payment of the applicable fee.
- 17.4.2.6 No person shall fail to satisfactorily comply with a notice issued pursuant to Section 17.4 within the specified deadline.
- 17.4.2.7 In default of the owner or occupant failing to comply with a notice from a Peace Officer or an order from the Municipal Subdivision and Development Appeal Board pursuant to the provisions of 17.4, the Town may do the work, and where applicable do the work at the expense of the person in default.
- 17.4.2.8 The expenses incurred by the Town for the work done, where applicable may be recovered with costs by action in any Court of competent jurisdiction or in a like manner as property taxes.

17.5 No Person being the Owner of a Property within the Town of Picture Butte shall permit or allow any Tree(s) located on their property to constitute a hazard to pedestrians or motor vehicle traffic. When branches or foliage from Tree(s) are a public safety hazard or are not providing enough clearance over streets, alleys, pathways or sidewalks, the Owner of the Property must prune or remove the trees for the following issues:

- 17.5.1 interference with distribution of light from street lamps; or
- 17.5.2 interference with the safe view of a traffic control device that cannot reasonably be placed otherwise or elsewhere; or
- 17.5.3 trees which are dead or partially dead; or
- 17.5.4 trees which are leaning over the street such as to provide less than 4.27 metres (14 feet) vertical clearance as measured at the curb line; or
- 17.5.5 trees which are growing over a sidewalk such as to provide less than 2.44 metres (8 feet) vertical clearance; or
- 17.5.6 trees which are growing over a sidewalk or curb such as to provide less than 30.5 centimeters (1 foot) horizontal clearance from the edge of a sidewalk or curb; or
- 17.5.7 trees which have been vandalized; or
- 17.5.8 trees which have lost their structural stability and are deemed a hazard.

17.6 Any notice served pursuant to this Bylaw will be deemed to have been sufficiently served in the case of an offence if:

- 17.6.1 Served personally upon the person to whom it is directed, or
- 17.6.2 Posted or left at a conspicuous location on the property or vehicle, or
- 17.6.3 If mailed by regular or registered mail to the address of the person to whom the notice was directed, or to the owner of the private property involved using the address on record with the Town of Picture Butte, or to the registered owner of the

vehicle using the address on record with the Alberta Motor Vehicle Branch.

## **PART 18 – SCHOOL BUSES**

- 18.1 School bus operators shall only be permitted to pick-up and drop-off students at the following locations:
- 18.1.1 In front of any public or separate school within the Town of Picture Butte.
  - 18.1.2 At any designated and marked bus stop locations within the Town of Picture Butte. See Schedule “C”.
- 18.2 Unless permitted by a sign, school buses shall not be permitted to be parked on public streets within the Town at any time unless engaged in the picking-up or dropping-off of passengers.
- 18.3 The Town allows for school busses to be parked on private property during the calendar months of September – June. The school bus must be parked entirely on the private property of the owner or operator of the school bus and must not encroach on or over Town or other public property.
- 18.3.1 Subject to 18.3, if the Town receives two or more written complaints from separate surrounding neighbours in regards to a school bus being parked in accordance with 18.3, the school bus in question must be removed from that property and taken to an alternative suitable location.
- 18.4 Contravention of the regulations found in PART 18 shall be punishable by a fine amount set out in Schedule “B”. Fines will be issued to the operator of the school bus. Any charges or costs incurred by the Town for having to tow a school bus will be sent to the school division that owns and/or is in control of the school bus.

## **PART 19 – HORSES AND HORSE DRAWN VEHICLES**

- 19.1 The use of horses and horse drawn vehicles shall be limited in the Town to be operated on the truck route found in Schedule “A” of this Bylaw. The rider, driver, operator or person in charge of any horse or horse drawn vehicle shall remain upon such horse or horse drawn vehicle while it is in motion, or shall walk beside the horse or horse drawn vehicle.
- 19.1.1 Subject to 19.1, horses and horse drawn vehicles shall be permitted to be off of the truck route, found in Schedule “A”, during an approved permit for a parade or procession under Part 5 of this Bylaw or during Jamboree Days or similar events as approved by the CAO.
- 19.2 The rider, driver, operator or person in charge of any horse or horse drawn vehicle must be capable of maintaining effective control of the animal(s) at all times.
- 19.3 No horse or horse drawn vehicle shall interfere with or cause safety concerns for other traffic, vehicles and pedestrians.
- 19.4 The rider, driver, operator or person in charge of any horse or horse drawn vehicle is responsible to remove any manure deposited by the horse from any highway or public property.



## **PART 20 – PENALTIES AND POWERS OF PEACE OFFICERS**

### **PROSECUTION OF OFFENCES**

- 20.1 Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Bylaw or the regulations for which a penalty is not otherwise provided is liable to a fine of not less than Two Hundred Fifty (\$250.00) Dollars and of not more than Two Thousand Five Hundred (\$2,500.00) Dollars and in default of payment is liable to imprisonment for a term not exceeding 6 months or to imprisonment for a term not exceeding 6 months without the option of a fine.
- 20.2 The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs for which he is liable under the provisions of this Bylaw.
- 20.3 Where a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw or as shown on Schedule “B”, the owner of the vehicle is guilty of an offence and liable for the contravention and the penalty provided herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.
- 20.3.1 Where any Peace Officer believes that a person has contravened any provision of this Bylaw he may serve upon:
- 20.3.1.1 such person a Violation Ticket referencing the section contravened or;
  - 20.3.1.2 the registered owner of the motor vehicle a Violation Ticket referencing Section 160 (1) of the Act and the section of the Bylaw contravened
- in accordance with the provisions of the *Provincial Offences Procedure Act* R.S.A. 2002 c. P-34.
- 20.4 The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule “B” of this Bylaw, said Schedule being hereby incorporated into and made part of this Bylaw.
- 20.5 Notwithstanding Part 20(20.3), a Peace Officer may issue a Municipal Violation Tag or Breach of Bylaw Notice, in a form approved by the CAO, referencing the section of the Bylaw contravened, to the alleged offender, or to the registered owner of any vehicle involved in a contravention of this Bylaw.
- 20.6 Service of any such notice or tag shall be sufficient if it is:
- 20.6.1 personally served
  - 20.6.2 served by regular or registered mail
  - 20.6.3 attached to the vehicle in respect of which the offence is alleged to have been committed.
- 20.7 The penalty payable to the Town in respect of a contravention of this Bylaw, to be indicated on any such Parking Violation Tag or Breach of Bylaw Notice issued, is as provided for in Schedule “B” of this Bylaw. Upon payment to a person authorized by the Town Council to receive such payment, an official receipt for the payment shall be issued and such payment shall be accepted in



lieu of prosecution.

- 20.8 Where payment of the penalty for a tag or notice issued for breach of any of the sections of this Bylaw is received within the time allowed for payment by a person authorized by the Town to receive such payment, such payment shall be accepted in lieu of prosecution.
- 20.9 If the person upon whom any such tag is served fails to pay the required sum within the time limit, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
- 20.10 Nothing in this Section shall:
- 20.10.1 Prevent any person from exercising his right to defend any charge of committing a breach of any of the provisions of this Bylaw.
  - 20.10.2 Prevent any Peace Officer in lieu of serving a Violation Ticket, notice or tag or any other person from laying information or a complaint against another person for committing a breach of any of the sections listed in the said Schedules, or
  - 20.10.3 Prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this Bylaw or not) for breach of any of the sections listed in the said Schedules.
- 20.11 Where any person has made payment pursuant to the provisions of this section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.
- 20.12 No person other than the owner or driver of a vehicle shall remove any Violation Ticket, notice or tag placed on or fixed to such vehicle by a Peace Officer in the course of his/her duties.
- 20.13 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.

#### REMOVAL AND IMPOUNDMENT OF VEHICLES

- 20.14 A peace officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- 20.14.1 operated or parked in contravention of any provision of this Bylaw; or
  - 20.14.2 where emergency conditions may require such removal from a highway.
- 20.15 Such vehicle or trailer may be removed to a place designated by the Chief Administrative Officer, where it will remain until claimed by the owner thereof or his agent.
- 20.16 No impounded vehicle shall be released to its owner or his agent until the impounding charges and removal charges on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The Town is not responsible for impounding, towing or removal charges.

## **PART 21 - SEVERABILITY**

- 21.1 It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provisions of this Bylaw be declared invalid all other provisions thereof shall remain valid and enforceable.

## **PART 22 - REPEAL**

- 22.1 Bylaw #398-71, Bylaw #576-82, Bylaw #795/06 and Bylaw #831/13 and any amendments thereto of the Town of Picture Butte are hereby rescinded.

## **PART 23 - COMMENCEMENT DATE**

- 23.1 This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 22 DAY OF Aug, 2016

READ A SECOND TIME THIS 26 DAY OF Sept, 2016

READ A THIRD TIME AND FINALLY PASSED THIS 26 DAY OF Sept, 2016

  
\_\_\_\_\_  
MAYOR

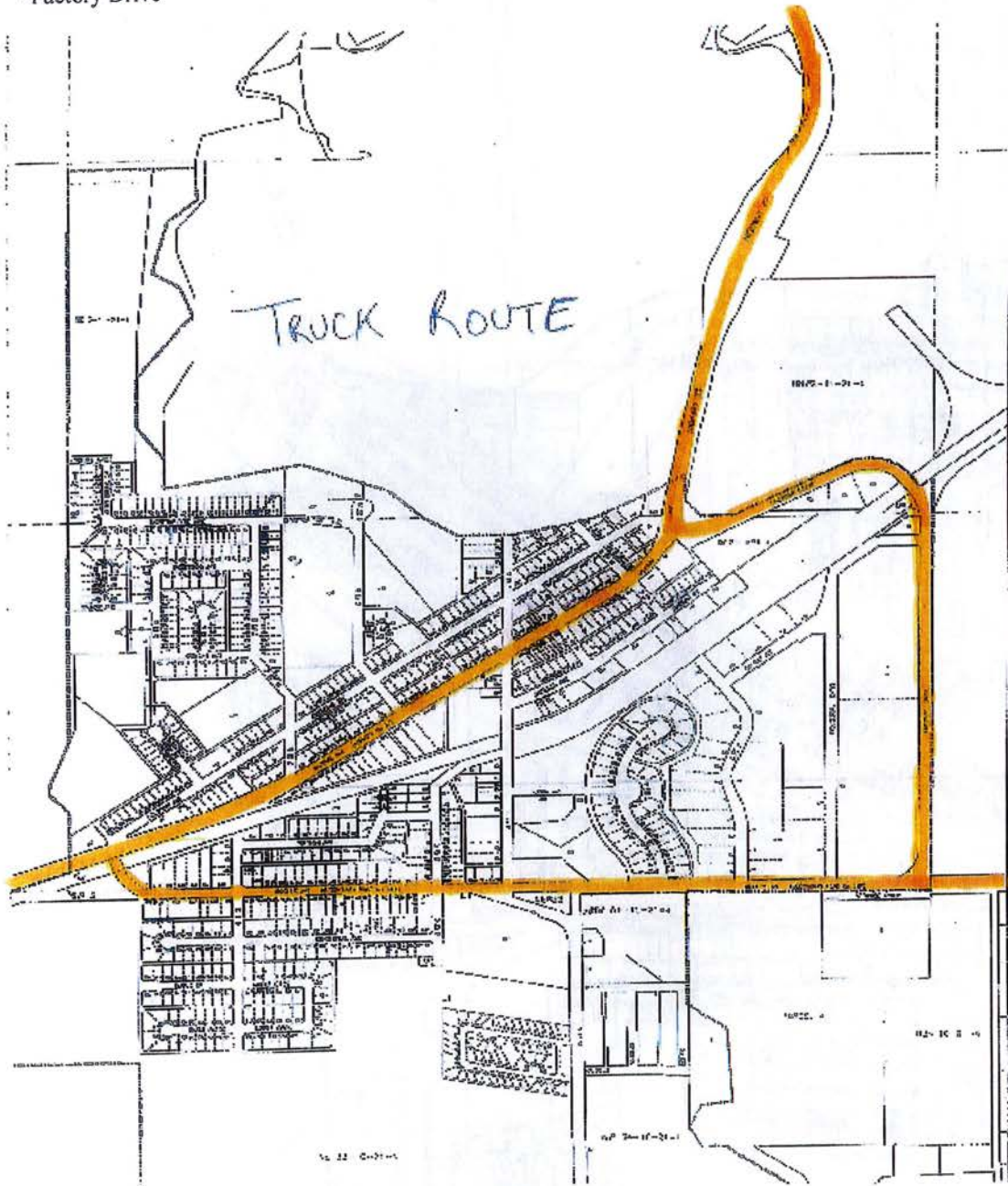
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



## SCHEDULE "A"

The Truck Route in the Town of Picture Butte shall be designated to be the following:

- Highway Avenue
- Rogers Avenue
- Factory Drive





## **SCHEDULE "B"**

<b>Part &amp; Section</b>	<b>Description of Offence</b>	<b>Penalty</b>
Part 4, Section 4.4	Placing of unauthorized traffic control device	<b>\$100.00</b>
Part 4, Section 4.5	Alter or deface a traffic control device	<b>\$150.00</b>
Part 5, Section 5.6	Crossing through procession or parade	<b>\$100.00</b>
Part 5, Section 5.7	Take part in parade or procession without permit	<b>\$100.00</b>
Part 5, Section 5.8	Failing to comply with conditions of parade permit	<b>\$150.00</b>
Part 6, Section 6.1	Crossing a Fire Line	<b>\$175.00</b>
Part 7, Section 7.1	Use of a vehicle with lugs on any highway	<b>\$250.00</b>
Part 8, Section 8.1	Non-permissible use of Off-Highway Vehicle	<b>\$75.00</b>
Part 9, Section 9.2	Commercial or Heavy vehicle off of designated truck route	<b>\$200.00</b>
Part 9, Section 9.4	Improper parking of a commercial or heavy vehicle	<b>\$150.00</b>
Part 9, Section 9.5	Parking a commercial or heavy vehicle in a residential zone	<b>\$125.00</b>
Part 9, Section 9.6	Operating an over-dimensional vehicle within Town without a permit	<b>\$150.00</b>
Part 9, Section 9.8	Use of engine retarder brakes in Town limits	<b>\$115.00</b>
Part 10, Section 10.2	Drive or have on a roadway a vehicle in excess of maximum weight	<b>\$250.00</b>
Part 11, Section 11.1	Obstructing or annoying vehicular or pedestrian traffic	<b>\$75.00</b>
Part 11, Section 11.2	Impeding traffic	<b>\$75.00</b>
Part 11, Section 11.3	Soliciting a ride from the driver of any private vehicle	<b>\$75.00</b>
Part 12, Section 12.1	Parking in a restricted area	<b>\$100.00</b>
Part 12, Section 12.2	Parking when prohibited	<b>\$75.00</b>
Part 12, Section 12.4	Parking over time limit	<b>\$75.00</b>
Part 12, Section 12.5	Parking in an alley	<b>\$75.00</b>
Part 12, Section 12.7	Parking in a passenger loading zone	<b>\$75.00</b>
Part 12, Section 12.9	Parking in a truck loading zone in excess of time limit	<b>\$75.00</b>
Part 12, Section 12.10	Unauthorized parking on Town owned land	<b>\$100.00</b>
Part 12, Section 12.11	Parking in front yard off of driveway	<b>\$100.00</b>
Part 12, Section 12.12	Parking outside of lines designating a parking stand	<b>\$75.00</b>
Part 12, Section 12.13	Not angle parking when required	<b>\$75.00</b>
Part 12, Section 12.14	Improper angle parking	<b>\$75.00</b>
Part 12, Section 12.15	Failing to park parallel when required	<b>\$75.00</b>
Part 12, Section 12.16	Parking causing interference in cul-de-sac	<b>\$75.00</b>
Part 12, Section 12.17	Improper parking	<b>\$75.00</b>
Part 12, Section 12.18	Parking a vehicle on a highway for a continuous period of time exceeding seventy-two (72) consecutive hours	<b>\$100.00</b>
Part 12, Section 12.19	Leaving a vehicle incapable of moving under its own power on a highway	<b>\$75.00</b>
Part 12, Section 12.20	Leaving a vehicle parked on any highway in such a manner that it blocks, obstructs, impedes or hinders traffic.	<b>\$75.00</b>
Part 12, Section 12.21	Unauthorized parking in a designated disabled parking stall or zone	<b>\$100.00</b>
Part 12, Section 12.22	Unauthorized parking in a designated disabled parking stall or zone	<b>\$75.00</b>
Part 12, Section 12.24	Failing to display disabled parking placard	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.1)	Stop or parked on a sidewalk, boulevard or median	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.2)	Stop or parked on a crosswalk or any part of a crosswalk	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.3)	Stop or parked unlawfully within a T intersection	<b>\$75.00</b>

Part 12, Section 12.25 (12.25.4)	Stop or parked within 5 meters of an intersection	\$75.00
Part 12, Section 12.25 (12.25.5)	Stop or parked within 5 meters of a stop or yield sign	\$75.00
Part 12, Section 12.25 (12.25.6)	Stop or parked within 5 meters of any fire hydrant	\$75.00
Part 12, Section 12.25 (12.25.7)	Stop or parked within 1.5 meters of garage/driveway/private road	\$75.00
Part 12, Section 12.25 (12.25.8)	Stop or parked within 5 meters of marked crosswalk	\$75.00
Part 12, Section 12.25 (12.25.9)	Stop or parked along excavation/obstruction to obstruct traffic	\$75.00
Part 12, Section 12.25 (12.25.10)	Stop or parked on bridge/culvert or approach	\$75.00
Part 12, Section 12.25 (12.25.11)	Stop or parked contrary to traffic control device	\$75.00
Part 12, Section 12.25 (12.25.12)	Stop or parked on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway	\$75.00
Part 12, Section 12.25 (12.25.13)	Stop or parked at emergency scene to obstruct emergency vehicles or emergency personnel	\$75.00
Part 12, Section 12.25 (12.25.14)	Stop or parked an unattended vehicle on a highway while supported by a jack or similar device	\$75.00
Part 12, Section 12.25 (12.25.15)	Stop or parked a vehicle on a roadway which does not have a valid license plate attached to it or which displays an expired license plate on it	\$75.00
Part 12, Section 12.26	Covering a vehicle with a tarp, cover or other similar device while it is parked on a Town highway or other Town owned or public property	\$100.00
Part 13, Section 13.1	Unauthorized parking of a Recreation Vehicle or Recreation Trailer on a highway	\$75.00
Part 13, Section 13.1(13.1.1)	Parking a Recreation Vehicle or Recreation Trailer in excess of time limit	\$100.00
Part 13, Section 13.1(13.1.3)	Recreation Vehicle or Recreation Trailer having its slides extended out while parked on a public street	\$100.00
Part 13, Section 13.1(13.1.4)	Occupying a recreation vehicle while parked on a highway	\$100.00
Part 14, Section 14.1	Illegally parked on Town property	\$100.00
Part 15, Section 15.2	Parked contrary to a signs terms that is posted on Town property	\$100.00
Part 15, Section 15.4	Storing a vehicle in a Town owned parking lot	\$100.00
Part 17, Section 17.2	Placing or laying an extension cord on or across a sidewalk or boulevard	\$75.00
Part 17, Section 17.3	Coasts on a highway on a sled, toboggan, skis, or roller blades which	

(17.3.1)	is being towed by a vehicle	<b>\$100.00</b>
Part 17, Section 17.3 (17.3.2)	Allowing vehicle fluids to flow onto or enter upon a roadway, sidewalk/boulevard/alley or enter any storm water system	<b>\$100.00</b>
Part 17, Section 17.3 (17.3.3)	Allowing the placement or deposit of any non-permissible material on a roadway/alley/sidewalk/boulevard within the Town	<b>\$100.00</b>
Part 17, Section 17.5	Allowing tree(s) to constitute a hazard to pedestrians or motor vehicle traffic.	<b>\$100.00</b>
Part 18, Section 18.1	Failing to pick-up or drop-off students at correct location	<b>\$150.00</b>
Part 18, Section 18.2	School bus unlawfully parked on public street	<b>\$100.00</b>
Part 18, Section 18.3(18.3.1)	School bus unlawfully parked	<b>\$100.00</b>
Part 19, Section 19.1	Unlawful operation of a horse or horse drawn vehicle	<b>\$75.00</b>
Part 19, Section 19.2	Failing to maintain effective control of horse or horse drawn vehicle	<b>\$75.00</b>
Part 19, Section 19.3	Allowing a horse or horse drawn vehicle to interfere with or cause safety concerns for other traffic	<b>\$100.00</b>
Part 19, Section 19.4	Failing to remove any manure deposited by a horse or horse drawn vehicle from any highway, public or private property	<b>\$125.00</b>



## **SCHEDULE "C"**

### **Designated School Bus Stops:**

- 7<sup>th</sup> Street N. between Crescent Avenue and Gibbons Avenue, directly across from St. Catherine's School identified on the attached diagram as the letter **"A"**
- Northridge Avenue between 7<sup>th</sup> Street N. and 6<sup>th</sup> Street N, north of Dorothy Dalglish School Grounds identified on the attached diagram as the letter **"B"**
- Crescent Ave. between 4<sup>th</sup> and 5<sup>th</sup> Street N., south of church on corner of 4<sup>th</sup> Street N. and Crescent Ave. identified on the attached diagram as the letter **"C"**
- Cowan Avenue between 4<sup>th</sup> Street S. and 3<sup>rd</sup> Street S., across from the Lions Park identified on the attached diagram as the letter **"D"**
- 6<sup>th</sup> Street S. between Centennial Avenue and Maple Crescent, beside the United Church identified on the attached diagram as the letter **"E"**

**NOTE: See the Attached Diagram on Reverse Side**

## SCHEDULE "D"



**Town of Picture Butte**

### **Vehicle Tow Report**

Occurrence Number \_\_\_\_\_

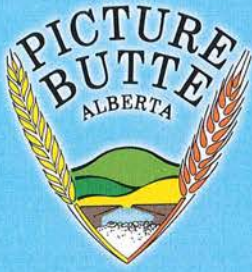
Date \_\_\_\_\_

Time \_\_\_\_\_

Tow Invoice Number (office use only) \_\_\_\_\_

Reason For Tow	Towing Authority Traffic Safety Act Section <input type="radio"/> 69 <input type="radio"/> 142 <input type="radio"/> 172 <input type="radio"/> 77 <input type="radio"/> 170 <input type="radio"/> other <input type="radio"/> 127 <input type="radio"/> 171	Seizing Member Name and Number
<b><u>Owner Information</u></b>		
Owner's Name		Phone (Home/Work)
Address		DOB
<b><u>Driver Information</u></b>		
Driver's Name (If Different From Above)		Phone (Home/Work)
Address		DOB
<b><u>Vehicle Information</u></b>		
Towed Vehicle Type	Make	Model
		Year
		Colour
License Plate	Province	Vehicle Identification Number
Damage		
Towed From		
Towed To		
<b><u>Vehicle Contents</u></b>		
Keys	Stereo/Radio	Other
Radar Detector	Cellular Phone	Other
Tools	Other	Other
<b><u>Charges</u></b>		
Towing	Dollies	Clean Up
Winch	Drop Linkage	Other
Stand By	Unlock	Other
<b><u>Vehicle Release</u></b>		
Release Conditions:    Immediate    Pending Court Order    Other		
Vehicle Released To:		Storage Facility
Owner / Agent / Sold		
Date	ID Presented	Registered Owner's Name    Charge To
Name		Member Releasing Vehicle Name and Number
Address		Received the above described vehicle from the Storage Compound
Phone	DOB	





# Picture Butte Picture Perfect!

September 27, 2016

**David Shaw**  
Transportation Services Supervisor  
Palliser Regional Schools  
101, 3305 – 18 Avenue North  
Lethbridge, AB T1H 5S1

E-mail: [david.shaw@pallisersd.ab.ca](mailto:david.shaw@pallisersd.ab.ca)

**Re: Approval for Additional Bus Stop Locations for Special Needs Students**

Hi David,

As per your request, please note that Council has authorized the bus stop locations below for the sole purpose of providing busing for special needs students.

- 504 Centennial Avenue
- 514 Centennial Avenue
- 611 Centennial Avenue
- 134 5<sup>th</sup> Street

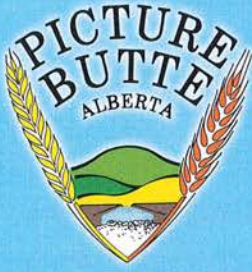
Please be advised that the Town will enforce the attached bylaw 852-16, and provide an exemption for the above-mentioned addresses. Should you require a change to the locations for special needs students, we request that you provide this information in writing to the CAO.

Thank you for working with the Town on this matter.

Sincerely,



Larry Davidson  
CAO



# Picture Butte Picture Perfect!

September 27, 2016

**David Shaw**  
Transportation Services Supervisor  
Palliser Regional Schools  
101, 3305 – 18 Avenue North  
Lethbridge, AB T1H 5S1

E-mail: [david.shaw@pallisersd.ab.ca](mailto:david.shaw@pallisersd.ab.ca)

**Re: Approval for Additional Bus Stop Locations for Special Needs Students**

Hi David,

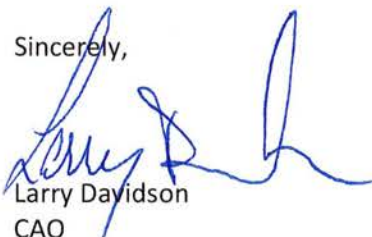
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Please be advised that the Town will enforce the attached bylaw 852-16, and provide an exemption for the above-mentioned addresses. Should you require a change to the locations for special needs students, we request that you provide this information in writing to the CAO.

Thank you for working with the Town on this matter.

Sincerely,



Larry Davidson  
CAO



TOWN OF PICTURE BUTTE

BYLAW NO. 857-17

A BYLAW OF THE TOWN OF PICTURE BUTTE to update and rescind the attached bylaws for the purpose of updating our bylaw directory.

WHEREAS Council wishes to maintain an up to date directory of municipal bylaws; and

WHEREAS Council wishes to rescind outdated bylaws, which are no longer enforced; and

NOW THEREFORE, pursuant to Section 63(2) (b) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

That the following Bylaws be rescinded.

Bylaw #	Bylaw Name	Description	Comments
3/43	Sanitary Health Officer	Appointment, Duties, Regulations	Outdated
14/41	Electrical Wiring & Inspection	Licensing of All Persons doing Same	Outdated
38/46	Half-Day Holiday	Proclamation that April 30, 1946 from Noon on be declared a Civic Holiday	Not practised
228/61	Water Meter Installation	Installation of water meters in Commercial and Public Buildings	Bylaw 260-62 updates this
394/70	Social Services program	Agreement between the Town, Town of Coaldale with respect to establishing and operating of a Preventative Social Services Program	Outdated
398/71	Snow Vehicles	Regulations concerning operation of snow vehicles within the Town limits	852-16 Traffic Bylaw covers this
442/74	Senior Citizens Housing	Authorize a Master Agreement under the Senior Citizens Housing Act	Old agreement with Minister
576/82	Recreation Facilities	Regulation of Public Facilities concerning Parade, Signs, Disturbing, Destructing	Laws cover content
3/83	Pasteurization Bylaw	Requirement that all Milk sold be pasteurized	Outdated
635/86	C.W.N.G. Franchise	Renew Agreement	Outdated
757/99	Assessment Review Board	To appoint an assessment review board for the year 1999	Appointing members to board

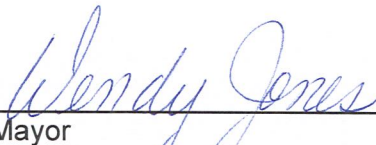
This Bylaw shall come into effect on the final day of passing thereof.

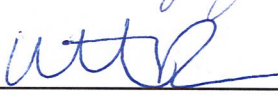
MOVED by Councillor Feist that Bylaw No. 857-17 be read a first time this 9<sup>th</sup> day of January, 2017.  
CARRIED

MOVED by Deputy Mayor Moore that Bylaw No. 857-17 be read a second time this 9<sup>th</sup> day of January, 2017.  
CARRIED

MOVED by Councillor Watson to allow third reading of Bylaw No. 857-17.  
CARRIED UNANIMOUSLY

MOVED by Councillor de Kok that Bylaw No. 857-17 be read a third time this 9<sup>th</sup> day of January, 2017.  
CARRIED

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 858-17**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$20,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$20,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.

6. This Bylaw comes into force on the final passing thereof and rescinds bylaw 845-16.

MOVED by Deputy Mayor Moore to approve first reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

MOVED by Councillor Watson to approve second reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

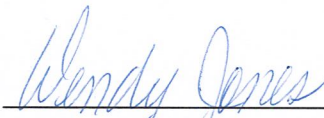
MOVED by Councillor de Kok to approve third and final reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

#### Certificate

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the \_\_13<sup>th</sup>\_\_ day of \_\_February\_\_, 2017 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this \_\_13<sup>th</sup>\_\_ day of \_\_February\_\_, 2017.

Seal



Wendy Jones  
Chief Elected Official



Keith Davis  
Chief Administrative Officer



## TOWN OF PICTURE BUTTE

### BYLAW # 861-17

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2017 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 24, 2017; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2017 total **\$3,355,488.22**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,101,790.25**, and the balance of **\$1,253,697.97** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 294,232.07	
Non-Residential	<u>\$ 74,306.46</u>	
		\$ 368,538.53
Opted Out School Boards:		
Residential / Farmland	\$ 48,827.44	
Non-Residential	<u>\$ 28,908.46</u>	
		<u>\$ 77,735.90</u>
Total School Requisitions		\$ 446,274.43
Green Acres Foundation (Seniors Requisition)		<u>\$ 21,599.78</u>
<b>Total Requisitions for 2017</b>		<b>\$ 467,874.21</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 119,856,329.00
Residential / Farm Land – Separate	\$ 18,147,840.00
Non-Residential / Linear – Public	\$ 19,713,712.00
Non-Residential / Linear – Separate	\$ 7,710,638.00
Machinery and Equipment – Public	\$ 1,930,400.00
Machinery and Equipment – Separate	<u>\$ 54,540.00</u>
<b>Total Assessment for 2016</b>	<b>\$ 167,413,459.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 997,837.16	\$138,004,169.00	7.23049
Non-Residential and M&E	\$ 255,860.82	\$ 29,409,290.00	8.70000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 297,946.46	\$119,856,329.00	2.48586
Non-Residential	\$ 74,194.98	\$ 19,713,712.00	3.76362
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 45,113.05	\$ 18,147,840.00	2.48586
Non-Residential	\$ 29,019.94	\$ 7,710,638.00	3.76362
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 21,599.78	\$167,413,459.00	0.12902
<b>GRAND TOTAL</b>	<b>\$ 1,721,572.19</b>		

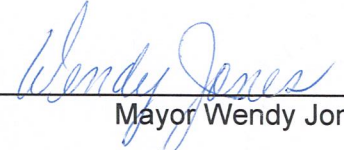
2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 8<sup>th</sup> day of May, 2017

Read a second time in Council assembled this 8<sup>th</sup> day of May, 2017

Council unanimously resolved to proceed to third reading this 8<sup>th</sup> day of May, 2017

Read a third time in Council assembled this 8<sup>th</sup> day of May, 2017

  
\_\_\_\_\_  
Mayor Wendy Jones

  
\_\_\_\_\_  
CAO Keith Davis



## TOWN OF PICTURE BUTTE

### BYLAW #862-17

A BYLAW IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE REGULATION FOR HOW TAX PAYMENTS ARE COLLECTED AND HOW TO IMPOSE PENALTIES FOR NON-PAYMENT OF TAXES AS PROVIDED BY THE *MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26*.

**WHEREAS** in accordance with the *Municipal Government Act R.S.A. 2000 Chapter M-26*, as amended, the Town of Picture Butte imposes taxes annually in respect of property in the Municipality to raise revenue;

**WHEREAS** in accordance with Sections 344, 345 and 346 of the *Municipal Government Act* Council may pass a bylaw to impose penalties on non-payment of taxes;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

#### SECTION 1 DEFINITIONS

1.1 In this bylaw:

- a. "Tax Roll" is the listing of all parcels of land in the Town of Picture Butte in which taxes are imposed.
- b. "Tax Notice" is the Tax / Assessment notice sent by the Town of Picture Butte with all information regarding the tax roll as per the requirements of Section 334 of the *Municipal Government Act*.
- c. "Tax Payment Due Date" is 4:00 p.m. Mountain Standard Time on either July 10<sup>th</sup> or the last business day prior to July 10<sup>th</sup>.
- d. "Tax Arrears List" is the list, prepared annually, no later than March 31<sup>st</sup>, of the parcels of land in the Town of Picture Butte of which there are tax arrears for more than one year as per Section 412 of the *Municipal Government Act*.
- e. "Assessment Appeal" is a written complaint about any assessed property as per Section 460 of the *Municipal Government Act*.

#### SECTION 2 METHOD OF PAYMENT

2.1 The following are deemed acceptable forms of payment for taxes:

- a. Tax Installment Payment Plan (TIPP)
- b. Cash
- c. Cheque, Bank Draft or Money Order
- d. Interac
- e. Through a Financial Institution with proof being the financial institution's written notification stating the amount paid, the corresponding tax roll and the payment transaction date.

2.2 Payments for the current year's taxes must be deemed received by July 10<sup>th</sup> or the last business day prior to July 10<sup>th</sup>, by one of the means listed in Section 2.1. Credit cards are no longer accepted as a form of payment for taxes as of January 1st, 2013.

2.3 Payments are deemed received on the earlier of:

- a. The date received at the Town Office
- b. The legible date of the post mark, provided payment was sent via Canada Post
  - i) If the post mark is illegible, the date received at the Town Office shall be deemed the payment date.
- c. Payment date listed on official payment notification provided by a Financial Institution

140



- 2.4 Receipts issued in acknowledgement of a cheque or other negotiable instrument shall be valid only if the amount of the cheque or instrument has been collected by the Town of Picture Butte (e.g. taxes paid on time by cheques that are returned due to insufficient funds are not deemed to be received on time and are subject to a penalty).
- 2.5 Any property on which the taxes are in arrears is liable to tax recovery proceedings as specified in the *Municipal Government Act*.
- 2.6 In the event a parcel of land is added to the Tax Arrears List, any costs payable by the Town of Picture Butte for land title, search, registration, notification, or discharge of notification fees shall be added to the tax roll to recover the related costs of such charges.
- 2.7 The Town of Picture Butte assumes no responsibility for non-payment or late payment of taxes by a third party including, but not limited to mortgage companies or financial institutions. The property owner accepts responsibility to ensure their property taxes are paid by the tax deadline due date.
- 2.8 An assessment appeal does not provide exemption from paying taxes on time or provide exemption from late payment penalties. If a complaint is successful, the adjustment will be applied to the applicable tax roll. A request for any refund amount from a successful assessment appeal must be applied for in writing.
- 2.9 Payments on all outstanding balances must be made by December 31<sup>st</sup> in one of the manners listed in Section 2.1 to avoid tax penalties being imposed.
- 2.10 Payments received on a tax roll shall be applied to charges in the following order:
  - a Tax arrears
  - b Amounts transferred to the tax roll
  - c Current taxes

### **SECTION 3 APPLICATION OF PENALTIES**

- 3.1 A penalty of eighteen percent (18%) of the current tax levy shall be applied to any tax roll where the current tax levy remains unpaid after the tax payment due date shown on the Tax / Assessment Notice.
- 3.2 An interest charge of eighteen percent (18%) shall also be applied to any outstanding balance on any tax roll on any amount remaining unpaid after December 31<sup>st</sup>.
- 3.3 Any penalty or interest charge imposed under the provision of this bylaw shall be added to and form part of the unpaid taxes.

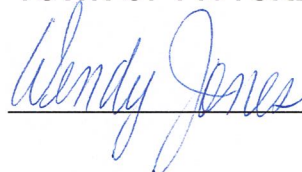
This Bylaw hereby rescinds Bylaw #831-12 and any previous tax and penalty policies and comes into effect after receiving third and final reading.


Read a first time this 26<sup>th</sup> day of June, 2017

Read a second time this 26<sup>th</sup> day of June, 2017

Read a third time this 26<sup>th</sup> day of June, 2017

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO

TOWN OF PICTURE BUTTE  
BYLAW NO. 863-17

A Bylaw of the TOWN OF PICTURE BUTTE in the Province of Alberta to regulate the printing of ballots for the election of the Chief Elected Official and Councillors.

WHEREAS The Local Authorities Election Act, Revised Statutes of Alberta 2000 Chapter L-21 (LAEA), allows the municipality, by bylaw, to establish certain municipal election requirements and procedures, and

WHEREAS the Council of the Town of Picture Butte deems it desirable,

NOW THEREFORE the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

This Bylaw is hereby cited as the Town of Picture Butte 'Elections Bylaw'.

1.     BALLOTS – LAEA Section 43

- 1.1     Each ballot shall contain the name of each candidate.
- 1.2     The names of the candidates on each ballot shall be arranged alphabetically in order of the surnames, and if two or more candidates have the same surname, the names of those candidates shall be arranged alphabetically in the order of their given names.
- 1.3     Ballots shall be printed in as many lots as there are candidates for the office.
- 1.4     In the first lot the names of the candidates shall appear in alphabetical order as per section 1.1.
- 1.5     In the second lot the names shall appear in the same order, except that the first name in the first lot shall be placed last.
- 1.6     In each succeeding lot, the order shall be the same as that of the preceding lot, except that the first name in the preceding lot shall be placed last.
- 1.7     Tablets of ballots to be used at each voting station shall be made up by combining ballots from the different lots in regular rotation so that no two consecutive electors may receive ballot papers from the same lot and so that each candidate's name shall appear first and in each other position substantially the same number of times on the ballots used.

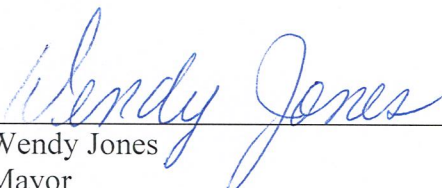
This Bylaw comes into force and effect upon the final reading thereof and shall remain in effect until repealed.


MOVED by Councillor Watson that Bylaw No. 863-17 be read a first time this 14<sup>th</sup> day of August, 2017.  
CARRIED

MOVED by Councillor Feist that Bylaw No. 863-17 be read a second time this 14<sup>th</sup> day of August, 2017.  
CARRIED

MOVED by Councillor de Kok that permission be granted to give third reading to Bylaw No. 863-17 at this meeting.  
CARRIED UNANIMOUSLY

MOVED by Deputy Mayor Moore that Bylaw No. 863-17 be read a third time and finally passed this the 14<sup>th</sup> day of August 2017.  
CARRIED

  
\_\_\_\_\_  
Wendy Jones  
Mayor

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer



**BYLAW NO. 865-18**  
**TOWN OF PICTURE BUTTE**  
**IN THE PROVINCE OF ALBERTA**

Bylaw No. 865-18 of the Town of Picture Butte is for the purpose of adopting the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcends municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe area and within parts of the town and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

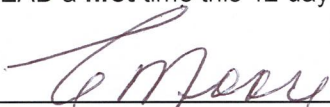
AND WHEREAS both the Councils of the Town of Picture Butte and Lethbridge County agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte duly assembled hereby enacts the following:

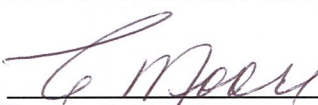
1. Council shall adopt the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan in consultation and as agreed to with Lethbridge County.
2. This plan, upon adoption, shall be cited as the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan Bylaw No. 18-009 and Bylaw No. 865-18.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 12 day of March, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

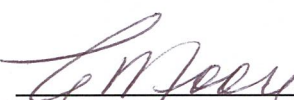
  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **second** time this 9 day of April, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **third** time and finally PASSED this 9 day of April, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 866-18

Being a bylaw to prohibit certain activities creating noise and to abate the incidence of noise and restrict the hours when certain sounds may be made.

WHEREAS the Municipal Government Act, R.S.A. 2000, Chapter M-26, provides that a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

AND WHEREAS the incidence of noise in the Town of Picture Butte is such that the Council of the Town of Picture Butte deems it expedient that a bylaw be made restricting, mitigating and abating activities, which give, rise to unnecessary noise in the Town, especially during hours normally used for sleeping;

AND WHEREAS the intent of this bylaw is that all noise shall be reduced as far as possible compatible with the normal activities and that unnecessary noise be eliminated.

NOW THEREFORE THE COUNCIL OF PICTURE BUTTE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be cited as the "Noise Bylaw".
2. In this bylaw:
  1. "Chief Administrative Officer" shall mean the Town Chief Administrative Officer as appointed by Town Council and anyone acting or authorized to act on his/her behalf.
  2. "Holiday" means any statutory holiday as defined in the Interpretation Act of Alberta.
  3. "Industrial Zone" includes lands identified as Industrial – I in the Land Use Bylaw.
  4. "Land Use Bylaw" means Bylaw Number 841-15 as amended from time to time or any bylaw passed in substitution for or in addition to Bylaw Number 841-15.
  5. "Nighttime" means the period beginning at 10:00 p.m. and ending the following day at:
    - a) 7:00 a.m. if the following day is a weekday; or
    - b) 8:00 a.m. if the following day is a weekend.
  6. "Residential Building" includes buildings and lands in districts defined as Residential Districts in the Land Use Bylaw.
  7. "Residential District" means any area of Town that has been designated as a Residential District in the Town's Land Use Bylaw.
  8. "Signalling 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.
  9. "Special Constables" means a person who is appointed as a special constable under Section 42 of the Police Act of Alberta as defined in the Peace Officer Act of Alberta.
  10. "Ticket" means any ticket which is authorized by the Municipal Government Act, R.S.A. (2000), Chapter M-26 or under the Provincial Offences Procedures Act, R.S.A. (2000), Chapter P-34, issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
  11. "Town" means the Corporation of the Town of Picture Butte or the area contained within the boundaries of the Town as the context requires.
  12. "Weekday" means any day other than a Sunday or holiday.
  13. "Weekend" means Sunday and any other holiday.

169 20

3.

1. Except to the extent allowed under this bylaw, no person shall

make continue to make or cause or allow to be made or continued any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of other persons within the limits of the Town.

2. What constitutes a loud noise, an unnecessary noise, an unusual noise or a noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others is a question of fact to be determined by the Court which hears the prosecution of an offence against this bylaw.
3. Where an activity which is not specifically prohibited or restricted by any legislation of Canada or the Province of Alberta or by this bylaw involves making a sound, which:
  - a) Is or may be or may become; or
  - b) Creates or produces or may create or produce;

a disturbance or annoyance to other people or a danger to the comfort, repose, health, peace or safety of others, a person engaged in that activity shall do so in a manner creating as little as practicable under the circumstances.

4.

1. The failure of a person to comply within the Town with the following provisions of the Traffic Safety Act and Regulations:
  - a) The prohibition against the use of Signalling devices on motor vehicles, motorcycles, or bicycles so as to make more noise than is reasonably necessary for the purpose of giving notice or warning to other persons on the highway, as set out in subsection (2) of Section 63 of the Highway and Rules of the Road Regulation;
  - b) The restrictions on the type or use of mufflers and similar equipment on motor vehicles, as set out in Section 61 (1) of the Vehicle Equipment Regulation;
  - c) The prohibition against equipping a vehicle other than those specified with a siren, as set out in Section 74 of the Vehicle Equipment Regulation;

constitutes a violation of this bylaw in addition to and not in substitution for the offence under the Traffic Safety Act, S.A. 2003.

2. Where a person operates a vehicle of any type on a street in a Residential Zone at any time in such a way as to unduly disturb the residents of that street, he/she is guilty of an offence under this bylaw in addition to and not in substitution for any offence of which he/she may be guilty under Section 13(1)(g)(iii) of the Traffic Safety Act.
3. No person may activate or apply engine retarder brakes in the Town.
4. Where a vehicle is equipped with a siren under Section 74 of the Vehicle Equipment Regulations, the driver thereof shall only use the siren when the vehicle is proceeding in response to an emergency call.
5. Subsection 4.4 does not apply to the use of a siren on a vehicle operated by a member of the Royal Canadian Mounted Police, or a Special Constable.

5.

1. Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
  - a) Is a permitted use; or
  - b) Is an approved discretionary use; or
  - c) Is a non-conforming, but not illegal, use as defined in the Municipal Government Act.
2. In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.



6. No person shall operate an outdoor speaker system on a parcel where a property line of the Parcel is within 150 meters of a Residential Development during the period beginning at 10:00 p.m. and ending at 9:00 a.m. the following day.
7.
  1. A person must not operate:
    - a) A motorized garden tool;
    - b) A power tool outside any building or structure;
    - c) Any motorized apparatus driven by an internal combustion engine of any kind; or
    - d) A snow clearing device powered by an engine of any kind;in a Residential Development during the nighttime.
  2. Any person who owns, keeps, houses, harbours or allows to stay on their premise an animal which by reason of barking, or howling, disturbs persons in the vicinity of their home is guilty of an offence under this bylaw.
  3. A person who owns, occupies or controls a truck-tractor or tractor-trailer must not at any time allow it to remain running for longer than 20 minutes when it is stationary in a Residential District or within 150 meters of a Residential Development.
  4. A person must not use a signalling device to promote or advertise the sale of ice cream or any other foodstuffs in a Residential District during the nighttime.
8.
  1. Unless written permission from the Chief Administrative Officer is first obtained, no person shall carry on the construction of any type of structure which involves hammering, sawing or the use of any machines, tools or equipment capable of creating a noise which may be heard beyond the boundaries of the site on which activity is being carried on in any District other than one designated in the Land Use Bylaw as Urban Reserve during the Nighttime.
  2. Subsection 8.1. does not apply to the work of an exigent nature being carried on by a Town department, utility company or contractor acting on their behalf.
9. Notwithstanding any other provision of this bylaw, where an open area is provided for parking of patrons or employees in connection with a retail store, office, or medical and health facility, the owner or person in charge of the parking area, and making no more noise than is reasonably necessary in connection therewith may use a machine for clearing snow or debris from that open area during such hours as is necessary or expedient to keep that area clear of snow and debris.
10. Upon the issuance of a ticket for a breach of any of the Sections of the bylaw a specified penalty as identified in Appendix A and upon production of any such notice or ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified to the Town such payment shall be accepted in lieu of prosecution.
  - a) If the person upon whom any such notice or ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
  - b) Nothing in this Section shall:
    - (i) Prevent any persons from exercising his right to defend any charge or committing a breach of this bylaw.
    - (ii) Prevent any person from laying an information and complaint against any other persons for committing a breach of any of the provisions of this bylaw.
    - (iii) Prevent any Bylaw Enforcement Officer or Peace Officer from laying an Information and Complaint against any other person or owner for an alleged breach of this bylaw whether or not such other person or owner has made payment under this Bylaw.
  - c) Where any person has made a payment to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.

d) Notwithstanding 10. c):

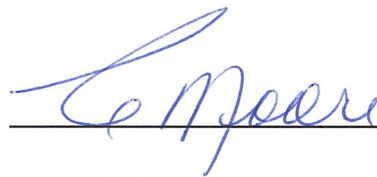
- (i) Where any person contravenes the same provision of this bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is outlined in Appendix A.
- (ii) Where any person contravenes the same provision of this bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is outlined in Appendix A.

- 11. A person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding Two Thousand Five Hundred (\$2,500) dollars or in default of payment of the fine to imprisonment for a period not exceeding six (6) months or until such fine is paid.
- 12. It is the intention of the Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.
- 13. Bylaw Number 705-93 and amendments thereto is hereby repealed.
- 14. This bylaw comes into full force and effect on the date of final passing.

MOVED by Councillor Feist that Bylaw No. 866-18 be read a first time this 26<sup>th</sup> day of March, 2018.

MOVED by Councillor de Kok that Bylaw No. 866-18 be read a second time this 9<sup>th</sup> day of April, 2018.

MOVED by Councillor Papworth that Bylaw No. 866.18 be read a third time this 23<sup>rd</sup> day of April, 2018.



Cathy Moore  
Mayor



Keith Davis  
Chief Administrative Officer



**APPENDIX A**  
**PENALTY AMOUNTS**

1. First Offence as per Section 10	\$200
2. Second Offence as per Section 10 d) (i)	\$400
3. Third Offence as per Section 10 d) (ii)	\$500

## TOWN OF PICTURE BUTTE

### BYLAW #867-18

A BYLAW, IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE ACCEPTANCE OF MONIES FOR PAYMENT OF TAXES BY INSTALMENTS AS PROVIDED BY THE *MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26*.

**WHEREAS** in accordance with the *Municipal Government Act R.S.A. 2000 Chapter M-26*, as amended, the Town allows such tax installments on accounts in such manner and subject to such conditions as may be set out in the Bylaw;

**WHEREAS** in accordance of the *Municipal Government Act* Council may pass a bylaw to permit taxes to be paid by installment, at the option of the taxpayer;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

#### SECTION 1 TITLE

- 1.1 This Bylaw may be referred to as the "Tax Installment Payment Plan Bylaw"

#### SECTION 2 AUTHORIZATION

- 2.1 The owner as registered on the tax roll shall be given the option to pay taxes by a pre-authorized transfer of funds from their bank account to the Town of Picture Butte in twelve monthly installments, in an amount calculated as per Section 3 of this Bylaw, providing all previous outstanding tax balances are paid in full.
- 2.2 To apply for the Tax Installment Payment Plan, the application form must be completed, signed and returned to the Town Office accompanied by the appropriate banking information, no later than January 10<sup>th</sup> of the year in which the taxpayer wishes to enroll in the Tax Installment Payment Plan.
- 2.3 Any application received after the enrolment deadline of January 10<sup>th</sup> shall take effect the following calendar year.
- 2.4 The Tax Installment Payment Plan agreement does not transfer from one property tax owner to a purchaser of the property in the event of a sale of a parcel of land.

#### SECTION 3 MONTHLY PAYMENTS

- 3.1 Monthly payments are calculated by dividing the annual tax levy from the preceding year by 12 for the payment amount for January to May. The monthly payments from June to December will be automatically adjusted once the current year's tax levy has been determined. The current and remaining tax balance owing is divided by 7 months to create a zero balance owing by December 31. The transfer of funds will occur on the last business day of every month.
- 3.2 The Town of Picture Butte will determine the monthly payment for each participant in the Tax Installment Payment Plan. The option of additional or lesser monthly payment amounts by the property owner will not be permitted.
- 3.3 The payment of property taxes on a monthly installment basis shall take place on the last business day of each month. Payments shall commence

*cm*  
*100*

in January and continue to the last business day in December. Schedule "A", forming a part of this bylaw, authorizes automatic deductions from the taxpayer's account at a financial institution to the credit of the Town of Picture Butte. Monthly payments are equal to the monthly payment calculated pursuant to Section 3.1.

#### **SECTION 4            OUTSTANDING CHARGES**

- 4.1    A property owner will not be eligible for this program if there is any amount owing on the tax roll after the enrolment deadline stipulated in Section 2.3.

#### **SECTION 5            WITHDRAWAL**

- 5.1    Once a participant is enrolled in the Tax Installment Payment Plan, such participant is automatically renewed each year and does not require a new application to be made every year to continue ongoing monthly tax payments.
- 5.2    A participating taxpayer may, at any time, withdraw from the Tax Installment Payment Plan by giving no less than two (2) weeks' notice in writing. No monies paid into the plan will be returned, refunded or transferred to a Town of Picture Butte utility account. The monies will remain on the tax roll and be deemed as a prepayment of property taxes.
- 5.3    If a participating taxpayer withdraws from the Tax Installment Payment Plan, or the Town of Picture Butte cancels the Tax Installment Payment Plan agreement, all unpaid taxes are due and payable upon cancellation of such agreement and are subject to penalties in accordance with the Tax and Tax Penalty Bylaw.

#### **SECTION 6            CANCELLATION**

- 6.1    The Town of Picture will cancel participation in the Tax Installment Payment Plan if an installment payment fails to be honored. Penalties will be added to the tax roll per section 7.
- 6.2    If a participant pays the tax balance owing on the tax / assessment notice issued, he / she will automatically be removed from the Tax Installment Payment Plan.
- 6.3    Any transfer of outstanding amounts to the applicable tax roll, in accordance with Section 553 of the Municipal Government Act, will automatically disqualify participation in the Tax Installment Payment Plan and the property owner will be removed immediately from the Tax Installment Payment Plan.
- 6.4    Notice of removal from the Tax Installment Payment Plan pursuant to Sections 6.1, 6.2 or 6.3 of this Bylaw shall be sent to the taxpayer, by ordinary mail, to the taxpayer's last known mailing address as listed on the tax roll.
- 6.5    If participation in the Tax Installment Payment Plan is cancelled by the Town pursuant to Section 6.1, 6.2 or 6.3, the taxpayer shall not be eligible to participate in the Tax Installment Payment Plan until the taxation year following the cancellation, if the taxpayer chooses to reenroll in the program. Completion of a new application form by the taxpayer is required.
- 6.6    Upon sale of the property, the participant will be automatically removed from the Tax Installment Payment Plan.

#### **SECTION 7            FEES AND PENALTIES**

*CM*  
*100*

- 7.1 The applicable bank return fee, as set out in Schedule "B" of this bylaw will be levied on payments which are not honored by the financial institution on which they are drawn. The charges shall be added on to the taxes owing for each affected tax roll.
- 7.2 If participation in the Tax Installment Payment Plan is cancelled or withdrawn between July 11<sup>th</sup> and December 1<sup>st</sup> (inclusive) of any year, a tax penalty will be applied to the tax roll, in accordance with the Tax and Tax Penalty Bylaw, 30 days after cancellation or withdrawal. Regular tax penalties and / or interest charges will also apply.
- 7.3 Cancellations or withdrawals that occur before July 11<sup>th</sup> or after December 1<sup>st</sup> of any year shall be subject to penalties and / or interest per the Tax and Tax Penalty Bylaw.

## **SECTION 7 INDEMNIFICATION**

- 7.1 The onus of providing correct banking information to the Town of Picture Butte lies with the taxpayer. If incorrect information results in a monthly payment(s) not being made or being dishonored by the financial institution, the Town of Picture Butte assumes no responsibility for such rejection of said payment.

## **SECTION 8 RESPONSIBILITY**

- 8.1 Tax Installment Payment Plan participants are responsible for verifying that the preauthorized payments are being made as per the application agreement signed by the participant. If they are not, the onus is on the taxpayer to notify the Town of Picture Butte to rectify the error.

## **SECTION 9 SCHEDULES**

- 9.1 Attached is Schedule "A" – Application Form for Tax Installment Payment Plan which is part of this Bylaw.
- 9.2 Attached is Schedule "B" – Fees and Penalties which is part of this bylaw

This Bylaw hereby rescinds Bylaw #829-12 and comes into effect May 1<sup>st</sup>, 2018.

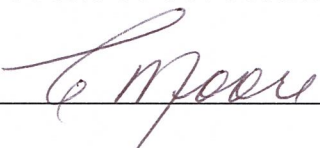
MOVED by Councillor Papworth to approve FIRST reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED

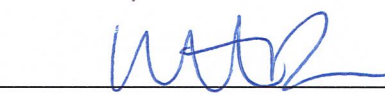
MOVED by Deputy Mayor Watson to approve SECOND reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED

MOVED by Councillor de Kok that permission be granted to move to THIRD AND FINAL reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED UNANIMOUSLY

MOVED by Councillor Feist to approve THIRD AND FINAL reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO

**TOWN OF PICTURE BUTTE  
BYLAW # 867-18  
SCHEDULE "A"**

**TAX INSTALLMENT PAYMENT PLAN  
APPLICATION FORM**

<b>Tax Roll Number</b>		
<b>Civic Address</b>		
<b>Property Owner's Name(s)</b>		
<b>Mailing Address</b>		
<b>Town / City</b>		
<b>Postal Code</b>		
<b>Phone Numbers</b>		
<b>Beginning TIPP Amount</b>		

Initial

☐

I / We authorize the Town of Picture Butte to begin automated monthly withdrawal for payment of property taxes from the bank account identified on the attached voided cheque or direct deposit / pre-authorized debit form as issued by my bank.

☐

Payments will continue on the last business day of each month until this agreement is terminated.

☐

I / We have read, understand and agree to the Town of Picture Butte Tax Installment Payment Plan Bylaw. This Bylaw can viewed on the Town's website at [www.PictureButte.ca](http://www.PictureButte.ca)

☐

I / We understand that my / our monthly tax payment amount will change each June once the current year's tax levy has been determined. This new calculated amount will be reflected on the annual tax / assessment notice issued.

☐

I / We understand that my / our monthly tax payment amount will also change in January of each year and will be based on the previous year's levy.

☐

I / We understand that if any payment fails to be honored, I / we will be removed from the program and may be subject to fees and / or penalties.

☐

I / We understand that if my / our participation in TIPP is cancelled or withdrawn between July 11<sup>th</sup> and December 1<sup>st</sup> of any year, the tax penalties stipulated in the Tax and Tax Penalty Bylaw will be applied to my / our tax roll 30 days after withdrawal or cancellation.

<b>Property Owner's Signature</b>	
<b>Date</b>	
<b>Property Owner's Signature</b>	
<b>Date</b>	

The personal information requested on this form is being collected with the Freedom of Information and Privacy (FOIP) Act and is protected by the FOIP Act. If you have any questions regarding the collection of this information, please contact the Town Office.

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**TOWN OF PICTURE BUTTE  
BYLAW # 867-18  
SCHEDULE "B"**

**TAX INSTALLMENT PAYMENT PLAN  
FEES AND PENALTIES**

**Bank return / NSF fee:                \$45.00**



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 868-18**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to regulate and clarify the regulations pertaining to extensive agriculture, the keeping of livestock and manure spreading within town limits, as described in Schedule A.

AND WHEREAS the general purpose of the proposed amendments are to address the following:

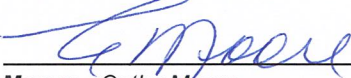
- Add to the Urban Reserve - UR land use district's statement of intent to make it clear agricultural uses may occur in the interim prior to land being developed for urban use, but those are limited to the cultivation of land, crop production and only temporary/seasonal grazing of livestock; and
- Amend and add to the Urban Reserve - UR land use district's Permitted Use column 'Temporary pasturing and grazing of livestock', and 'manure application', subject to criteria; and amend and add to Prohibited Uses column to make it more clear the keeping of confined livestock and exotic farm animals, including associated animal shelters, cattle, swine and poultry barns etc., or stockpiling of manure or compost piles, are prohibited; and
- Add criteria for Extensive Agriculture uses to the UR district as Section 8, to outline that development permits are not required for extensive agriculture uses or temporary/seasonal grazing of livestock but they are limited to non-noxious, best practice farming activities related to the cultivation of land, crop production and temporary seasonal livestock grazing, as described in attached Schedule A; and
- Add definitions to Part 6 for extensive agriculture, livestock, farm and exotic animals.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 868-18 to include the extensive agriculture amendments as described in the attached Schedule A.
2. Bylaw No. 868-18 shall come into effect upon third and final reading thereof.
3. Bylaw No. 868-18 is hereby adopted.

READ a **first** time this 23<sup>rd</sup> day of April, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 28<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally PASSED this 28<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 869-18

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

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 councillors;

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 councillors;

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, councillors 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 Town of Picture Butte;

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 councillors;

NOW THEREFORE the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

**1. Short Title**

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

**2. Definitions**

2.1. 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 [insert applicable title: e.g. 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 councillor or the Mayor and includes members of council committees or other bodies established by Council who are not councillors or the Mayor;
- (g) "Municipality" means the municipal corporation of the Town of Picture Butte.

**3. Purpose and Application**

3.1. 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.

**4. Representing the Municipality**

4.1. 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.

## **5. Communicating on Behalf of the Municipality**

- 5.1. A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.3. 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.
- 5.4. No Member shall make a statement when they know that statement is false.
- 5.5. No Member shall make a statement with the intent to mislead Council or members of the public.

## **6. Respecting the Decision-Making Process**

- 6.1. 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.
- 6.2. 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.
- 6.3. 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.

## **7. Adherence to Policies, Procedures and Bylaws**

- 7.1. 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.
- 7.2. 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.
- 7.3. 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.

## **8. Respectful Interactions with Council Members, Staff, the Public and Others**



- 8.1. 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.
- 8.2. 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.
- 8.3. 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.
- 8.4. 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.
- 8.5. 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.
- 8.6. 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.

## **9. Confidential Information**

- 9.1. 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.
- 9.2. 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.
- 9.3. 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.

## **10. Conflicts of Interest**

- 10.1. 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.
- 10.2. 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.
- 10.3. Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4. 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.

## **11. Improper Use of Influence**

- 11.1. 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.
- 11.2. 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.
- 11.3. Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4. 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.

## **12. Use of Municipal Assets and Services**

- 12.1. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 12.2. 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.

## **13. Orientation and Other Training Attendance**

- 13.1. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.



- 13.2. 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.

#### **14. Remuneration and Expenses**

- 14.1. Members are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
- 14.2. 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.

#### **15. Gifts and Hospitality**

- 15.1. 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.
- 15.2. 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 \$500.
- 15.3. 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.

#### **16. Election Campaigns**

- 16.1. 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.

#### **17. Informal Complaint Process**

- 17.1. 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 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.
- 17.2. 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.

#### **18. Formal Complaint Process**

- 18.1. 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.

## **19. Compliance and Enforcement**

- 19.1. Members shall uphold the letter and the spirit and intent of this Bylaw.
- 19.2. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 19.3. 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.
- 19.4. 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 councillor and the sanction is not contrary to the Act.

## 20. Review

- 20.1. 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.


READ a First time this 28<sup>th</sup> day of May, 2018

READ a Second time this 28<sup>th</sup> day of May, 2018

READ a Third time this 28<sup>th</sup> day of May 2018.

SIGNED AND PASSED this 28<sup>th</sup> day of May 2018.

  
MAYOR

  
CHIEF ADMINISTRATIVE  
OFFICER



## TOWN OF PICTURE BUTTE

### BYLAW # 870-18

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2018 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 23, 2018; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2018 total **\$3,466,554.79**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,187,782.86**, and the balance of **\$1,278,771.93** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 307,426.17	
Non-Residential	<u>\$ 81,642.68</u>	
		\$ 389,068.85
Opted Out School Boards:		
Residential / Farmland	\$ 43,643.78	
Non-Residential	<u>\$ 30,591.90</u>	
		<u>\$ 74,235.68</u>
Total School Requisitions		\$ 463,304.53
Green Acres Foundation (Seniors Requisition)		\$ 23,523.49
Designated Industrial Property (DIP Requisition)		<u>\$ 71.73</u>
<b>Total Requisitions for 2018</b>		<b>\$ 486,899.75</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 127,411,820.00
Residential / Farm Land – Separate	\$ 18,088,030.00
Non-Residential / Linear – Public	\$ 21,800,186.00
Non-Residential / Linear – Separate	\$ 8,168,634.00
Machinery and Equipment – Public	\$ 1,903,780.00
Machinery and Equipment – Separate	<u>\$ 54,960.00</u>
<b>Total Assessment for 2018</b>	<b>\$ 177,427,410.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,006,557.56	\$145,499,850.00	6.91793
Non-Residential and M&E	\$ 272,214.37	\$ 31,927,560.00	8.52600
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 307,426.17	\$127,411,820.00	2.41285
Non-Residential	\$ 81,642.68	\$ 21,800,186.00	3.74505
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 43,643.78	\$ 18,088,030.00	2.41285
Non-Residential	\$ 30,591.90	\$ 8,168,634.00	3.74505
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 23,523.49	\$177,427,410.00	0.13259
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 71.73	\$ 2,098,590.00	0.03418
<b>GRAND TOTAL</b>	<b>\$ 1,765,671.68</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 28<sup>th</sup> day of May, 2018

Read a second time in Council assembled this 28<sup>th</sup> day of May, 2018

Council unanimously resolved to proceed to third reading this 28<sup>th</sup> day of May, 2018

Read a third time in Council assembled this 28<sup>th</sup> day of May, 2018

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 871-18**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to update and enhance administrative procedures and standards of Land Use Bylaw No. 841-15 to be in compliance with the modernized Municipal Government Act (MGA), and also add regulations to manage cannabis production and retail sales in consideration of federal and provincial laws coming into effect to legalise cannabis use.

AND WHEREAS the general purpose of the proposed amendments described in Schedule 'A' are to:

- Add rules and criteria pertaining to the receiving, processing, and notification of development and subdivision applications in order to be in compliance with the MGA.
- Amend and add to 'Part 2, Land Use Districts Regulations, 'Industrial – I' – land use district discretionary use column: Cannabis Production Facility.
- Add to 'Part 4, Specific Use Standards' a new section for providing Criteria and Standards for Cannabis Production Facilities.
- Add to Part 4, Specific Use Standards' a new section on standards for Retail Cannabis Store uses which may only be considered on a parcel of land designated to Direct Control by Town Council, and also add the application requirements to redesignate to the Direct Control land use district.
- Add minimum requirements and standards applicable to Retail Cannabis Stores that will be considered by Town Council in making a decision on a development permit application for such uses.
- Add definitions to Part 6 for Cannabis, Medical Cannabis, Cannabis Production Facilities and Retail Cannabis Stores; with all proposed amendments as described in attached Schedule 'A'.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 871-18 to include the amendments as described in the attached Schedule A.
2. Bylaw No. 871-18 shall come into effect upon third and final reading thereof.
3. Bylaw No. 871-18 is hereby adopted.

READ a first time this 25<sup>th</sup> day of June, 2018

READ a second time this 23<sup>rd</sup> day of July, 2018.

READ a third time 23<sup>rd</sup> day of July, 2018.

SIGNED AND PASSED this 23<sup>rd</sup> day of July, 2018.

  
\_\_\_\_\_  
MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

## Schedule 'A'

### Bylaw No. 871-18 Amendments to Land Use Bylaw No. 841-15

#### Amending Bylaw - Section A

The described amendments are to bring the municipal Land Use Bylaw No. 841-15 into compliance with the modernized *Municipal Government Act* and amended *Subdivision and Development Regulations*.

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#### **Additions and amendments to Part 1, Administration section of Land Use Bylaw.**

(Note: underlined text is new addition to an existing bylaw section, while italicized and underlined text is entirely new bylaw addition.)

#### **DEVELOPMENT**

##### **14. DEVELOPMENT OFFICER – POWERS AND DUTIES**

The Development Officer is responsible for:

- (a) receiving, processing, deciding upon and referring applications for a development permit in accordance with this bylaw and determining whether a development permit application is complete in accordance with section 25 of Part 1.

##### **27. INCOMPLETE APPLICATIONS**

*Section 27 is amended by numbering the existing first paragraph as (1) and adding immediately after the following text to read:*

- (2) A Development Officer shall, within 20 days after the receipt of an application in accordance with Section 25 for a development permit, determine whether the application is complete.
- (3) An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
- (4) The time period referred to in subsection (2) may be extended by an agreement in writing between the applicant and the Development Officer.
- (5) If the Development Officer does not make a determination referred to in subsection (2) above within the time required under subsection (2) or (4), the application is deemed to be complete.
- (6) If a Development Officer determines that the application is complete, the development officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (7) If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 25. A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete.
- (8) If the Development Officer determines that the information and documents submitted under subsection (7) above are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (9) If the required documents and information under subsection (7) have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection (7), the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- (10) Despite issuance of a Notice of Completeness under subsection (6) or (8), the Development Authority or Municipal Planning Commission in the course of reviewing the application may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

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### 35. DEVELOPMENT PERMIT NOTIFICATION

- (1) A decision of the Development Authority on an application for a development permit must be issued in writing in accordance with subsection (3) below.
- (2) Upon the approval of the application and the issue of a development permit, the Development Authority shall immediately notify or cause to be notified, any persons likely to be affected or who have the right to appeal the decision of the Development Authority in accordance with the procedure in Section 46. The following notification processes shall be used:

#### PERMITTED USE PERMITS

- (3) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Development Authority shall:
  - (a) send to the applicant a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision; and
  - (b) notify the public by either:
    - (i) posting a copy of the decision in a prominent place in the Town Office for at least 14 days, or
    - (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
    - (iii) any combination of the above.

#### ALL OTHER PERMITS

- (4) Upon the issue or refusal of a development permit for a use under Sections 28, 29 (discretionary use), 30 (if a waiver is required), 31 (similar use) and 32 (temporary uses), the Development Officer shall immediately:
  - (a) send a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision to the applicant; and
  - (b) notify all persons likely to be affected by the development by either:
    - (i) mailing a copy of the decision to those persons, departments and agencies, or
    - (ii) place an advertisement in the local newspaper circulating within the municipality, and/or at his discretion;
    - (iii) place a notice on the property in a prominent place; or
    - (iv) any combination of the above.

#### ISSUANCE OF DECISION AND TIMEFRAMES

- (5) Upon issuance of a decision, the Development Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the decision is made.

For the purposes of subsection (5), the "date on which the decision was made" means:

  - (a) the date the Development Authority signs the notice of decision or development permit, or
  - (b) the date the decision is posted in the newspaper,

whichever occurs later.

### 36. COMMENCEMENT OF DEVELOPMENT

- (1) Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 44 21 days after the date on which the decision was made to issue of the permit;
  - (b) if an appeal is made, until the appeal is decided upon.

This does not apply to a development permit for a permitted use issued without conditions.

### 40. REAPPLICATION

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(1) If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for a development:

- (a) on the same lot, and
- (b) for the same or similar use,

may not be accepted for at least six months after the date of refusal.

(2) If an application was refused solely because it did not comply with this bylaw, or was refused as an incomplete application under section 27, another application on the same lot for the same or similar use may be accepted before the time period referred to in Section 40(1) provided the application has been modified to comply with this bylaw. All applicable fees shall apply.

#### **46. DEVELOPMENT APPEALS**

Any person applying for a development permit or any other person affected by any order, decision or development permit made or issued by the Development Authority or Municipal Planning Commission or any development application deemed refused in accordance with section x, may appeal such an order, decision or deemed refusal to the Subdivision and Development Appeal Board in accordance with the procedures described the MGA.

### **SUBDIVISION**

*The following text is added after existing Section 16(2):*

#### **16. SUBDIVISION AUTHORITY**

(3) The Subdivision Authority may delegate, though municipality's Subdivision Authority Bylaw, this bylaw, or by resolution of Council, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

- (a) The delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application.
- (b) The Subdivision Authority delegate is authorized to carrying out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated, carrying out site inspections.

*The following is a new section added to Part 1 of the bylaw:*

### **SUBDIVISION APPLICATION RULES AND PROCEDURES**

#### **53. SUBDIVISION APPLICATIONS**

(1) An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or it's designate. A completed application shall consist of:

- (a) An official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;
- (b) The applicable fees paid;
- (c) An up-to-date and current copy of the Certificate of Title to the subject land;
- (d) A (clear and eligible) diagram, Surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;
- (e) Provincial abandoned gas well information;
- (f) Any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information,

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contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use.

(g) The consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the Municipal Government Act (MGA) must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.

(2) In accordance with the Municipal Government Act (MGA), the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:

(a) For an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter.

(b) For an application determined to be incomplete, written notification shall be given to the applicant (Notice of Incompleteness) which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority.

(c) In respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.

(3) Notwithstanding subsection 2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the MGA to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

(4) A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

#### **54. INCOMPLETE SUBDIVISION APPLICATIONS**

(1) The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 53(1) and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

(2) If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in section 53(2)(b).

(3) The notification provided for in subsection (2) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the MGA.

#### **Amending Bylaw - Section B**

The described amendments are to add into the municipal Land Use Bylaw No. 841-15 criteria and standards to regulate both **Cannabis Production Facilities** and **Retail Cannabis Stores** in consideration of federal and provincial laws and regulations.

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**Additions and amendments to Part 2, Land Use Districts, Part 4, Standards of Development, and Part 6, Definitions sections of the Land Use Bylaw.** (Note: all text are new additions to the bylaw, except for the definitions where new text is either underlined or otherwise noted.)

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**Add to 'Part 2, Land Use Districts Regulations, 'Industrial – I' – land use district discretionary use column:**

Cannabis Production Facility

**Add to 'Part 4, Specific Use Standards' – Section B. Specific Use Provisions, add new section on Criteria and Standards:**

#### **44. CANNABIS PRODUCTION FACILITY**

The requirements of this section apply to cannabis production facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada's and the federal *Cannabis Act* and *Access to Cannabis for Medical Purposes Regulations (ACMPR)*, and any other federal and provincial government regulation.

- (1) The owner or applicant must provide as a condition of development permit approval a copy of the current authorized licence by Health Canada for all activities associated for a Cannabis Production Facility/plant (either a medical, recreational or combination thereof), as issued by the federal government.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (4) The development shall not operate in conjunction with another approved use.
- (5) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (6) The development must include equipment designed and intended to remove odours and particulates from the air where it is discharged from the building as part of a ventilation system.
- (7) A Cannabis Production Facility shall not be located on a parcel of land that is adjacent to or within 350 metres of a parcel used for a school, daycare or similar use associated with the caring or congregation of children or minors.
- (8) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes detail on:
  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material.

#### **45. RETAIL CANNABIS STORE**

##### **Use Eligibility**

- (1) Retail Cannabis Store uses may only be permitted on a parcels of land designated as Direct Control for that specific land use. The proponents of an application for a proposed Retail Cannabis Store must apply to Town Council for a redesignation to the Direct Control Land Use District.
- (2) The Direct Control bylaw for a proposed Retail Cannabis Store shall reflect that Council has the sole authority to make decisions on development permits for Retail Cannabis Stores.
- (3) Council for the Town of Picture Butte will consider, amongst other matters, the following criteria in making a determination of the suitability of a site or building for a Retail Cannabis Store. Council, at their discretion acting in the role of Development Authority, shall apply any standards or conditions they determine necessary which shall be applied to the issuance of any development permit for the said use.

##### **Direct Control Redesignation requirements:**

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- (1) The applicant must submit details of the proposed store location and a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites (as outlined in sub-section 3 below) within 200 m (drawn on a high quality and clearly legible site plan with text descriptions).
- (2) The Town of Picture Butte Council may require neighbourhood consultation to be conducted by the applicant. If a public consultation process is requested, the applicant must then provide to Council a description of when and what type of consultation was carried-out by the proponent and a general summary of the public input provided on the proposal (and a complete description of any objections or concerns raised).
- (3) Council may take into account, amongst other matters, the following factors when making a decision respecting an application to redesignate premises for a Retail Cannabis Store:
  - a. the extent and nature of opposition from community members or groups to establishment of a Retail Cannabis Store in a particular location; and
  - b. the suitability of the site in relation to adjacent land uses or other uses in proximity (200 m or less) to the proposed Retail Cannabis Store site.
- (4) The applicant must demonstrate to Council's satisfaction how the site and proposal conforms to the criteria as stipulated.
- (5) Council may consider that a site for a Retail Cannabis Store shall not be approved for redesignation or issued a development permit if the premises is located within a 200 metre separation distance of:
  - a. the boundary of a parcel of land on which a provincial health care facility is located, or
  - b. the boundary of a parcel of land containing a school (public or private) facility, or
  - c. the boundary of a parcel of land containing an approved child or daycare facility, or
  - d. the boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the *Municipal Government Act*, or
  - e. the boundary of a parcel of land containing a municipal park or playground facility, if the land is not designated as a school reserve or municipal and school reserve under the *Municipal Government Act*, or
  - f. the boundary of the parcel of land of which contains a church, community centre, library or recreation facility where persons under 18 years of age may attend or congregate.
- (6) Additionally, a Retail Cannabis Store shall not be approved for a development permit if the premises is located within the distance of (as measured wall to wall of the buildings):
  - a. 100 metres of a building containing a separate Retail Cannabis Store that has been approved (in the absence of any provincial set of rules regarding how closely the standalone stores will be allowed to operate to one another, otherwise the provincial rules apply), and
  - b. 50 metres of a building containing a licensed liquor store.
- (7) The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility, church, recreation facility, etc.) applying for development permit locating in proximity of established Retail Cannabis Stores.

#### **Development Permit Application requirements:**

In addition to the development application requirements as stipulated in Section 25 of the 'Administration' schedule of the Land Use Bylaw, the following additional requirements for an application for a development permit for a Retail Cannabis Store must also be provided when requested by the Development Authority to present to Council to make a decision:

- (1) If a redesignation to the Direct Control Land Use District is granted, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application for a municipal development permit for a Retail Cannabis Store.
- (2) All Retail Cannabis Stores approved for a development permit must obtain a Retail Cannabis Store license from the AGLC and failure to secure an AGCL license will make the local development permit approval null and void. Proof of provincial license (for a Retail

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Cannabis Store) shall be required as a condition of a development permit approval.

**Development Criteria and Standards:**

- (3) In issuing a development permit for a Retail Cannabis Store, consideration will be given by Council to the following criteria and applicable conditions:
- (a) A Retail Cannabis Store must be a separate use from any other business activities (i.e. non-Cannabis store) unless it is an activity or use expressly authorized by the AGLC.
  - (b) Maximum hours of operation, applicable to all approved Retail Cannabis Store operations, shall be limited between 11:00 a.m. and 10:00 p.m. which will be placed as a condition on a development permit approval, unless Council decides otherwise.
  - (c) All signage, including the contents, must comply with the land use bylaw Part 5, Sign Regulations, and municipal development permit approval is required. The applicant/developer is also responsible to ensure any signage and its message contents comply with all federal and provincial requirements, including AGLC policies.
  - (d) All parking requirements shall be provided in accordance with Part 4, Standards of Development, section 20 of the bylaw, and shall be deemed to be similar to other 'retail and service commercial' uses for determining the number and size of the required parking spaces.
  - (e) If an approved Retail Cannabis Stores' existing AGLC license expires, the business must provide verification to the municipality that a new license has been obtained within 12-months of the expiry date, otherwise, the use will be deemed to have been discontinued and any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.
  - (f) Council, acting as the Development Authority may, as a condition of approval on a development permit, specify a time limit on the development permit in regards to its validity, which may be considered a temporary use. At the time of expiry, the applicant/developer must reapply to the municipality for a development permit approval to continue the use.
  - (g) A developer/operator of a Retail Cannabis Store is responsible for meeting and adhering to all provincial requirements for the physical security for the premises.
  - (h) The design and construction of a Retail Cannabis Store must meet all provincial building code requirements.

**Amend and add to Part 6 'Definitions' section of bylaw:**

**Add new Definitions** to Part 6:

**Cannabis** means a plant Cannabis sativa, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, and any substance or mixture of substances that contains or has on it any part of such a plant; and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant.

**Medical Cannabis** means a substance used for medical and pharmaceutical purposes authorized by a license issued under the federal government and in accordance with the Government of Canada's Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

**Retail Cannabis Store** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**Cannabis Production Facility** means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested,

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destroyed, stored or loaded for shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time.

Amend the following existing **Definitions** in Part 6:

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. This use does not include Retail Cannabis Store which is a separate use.

**Convenience store** means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which typically do not exceed 400 m<sup>2</sup> (4,305 sq. ft.) in gross floor area. This use does not include Retail Cannabis Store which is a separate use.

**Greenhouse** means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale. This use does not include Cannabis Production Facility which is a separate use.

**Bylaw No. 872-18 - Amendments**

Bylaw No.	Amendment Description	Passed
879-19	To change Schedule A: Water Rates: Bulk water truck fill and Waste Management Rates: Garbage Collection	28 Jan 2019
897-20	To change Schedule A: Water Rates: Bulk water truck fill, meter and meter horn costs and Waste Management Rates: Garbage Collection	25 May 2020
915-21	To delete Schedule A and references to it. To change references to Schedule A to “Service Fees, Rates and Charges Bylaw”.	26 April 2021

TOWN OF PICTURE BUTTE  
BYLAW NO. 872-18

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, RESPECTING WATER WORKS, SEWERAGE AND WASTE MANAGEMENT AND PROVIDING FOR THE SETTING AND COLLECTION OF UTILITY RATES AND CHARGES.

WHEREAS Section 7 of the Municipal Government Act R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people; the protection of people and property; services provided for by or on behalf of the municipality; public utilities; and the enforcement of bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, HEREBY ENACTS AS FOLLOWS:

This Bylaw is hereby cited as the Town of Picture Butte “UTILITY BYLAW”.

1. DEFINITIONS:

- 1.1. “Ashes” means the residue of any substance used as fuel;
- 1.2. “Biochemical Oxygen Demand” (abbreviated BOD) means the quantity of oxygen expressed in milligrams per liter.
- 1.3. “Chief Administrative Officer or CAO” means the Town’s Chief Administrative Officer for the Town of Picture Butte as appointed by Town Council and includes any Persons authorized by him/her or the Town Council to act for or carry out the duties of the CAO Town Manager to the extent that authorization is given.
- 1.4. “Chemical Oxygen Demand (abbreviated COD) means the quantity of oxygen expressed in milligrams per litre utilized in the chemical oxidation of matter contained in Sewage as set forth in “Standard Methods for the Examination of Water and Wastewater”.
- 1.5. “Commercial Customer” means a Customer that has a Commercial Premises.
- 1.6. “Commercial Premises” means the site, including any building erected thereon of any café, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential or Institutional purposes;
- 1.7. “Council” means the Council for the Town of Picture Butte;
- 1.8. “Curb Stop” means a control valve for the water supply of a building, usually placed near the sidewalk or curb, used to shut off the water supply to a building;
- 1.9. “Customer” means any Person, corporation or organization who has entered into a contract with the Town for Utility Provision at a particular Premises, or who is the Owner or occupant of any Premises connected to or provided with a Utility.
- 1.10. “Director” means the Director of Operations and/or the Director of Corporate Services of the Town of Picture Butte or his/her duly authorized agent or representative.
- 1.11. “Discharge Limit (s)” means the maximum concentration of specified Sewage components permitted for discharge to the Sewer System by Commercial, Industrial and Institutional Customers without payment of Surcharges. The discharge limits are outlined in Schedule B:
- 1.12. “Domestic Customer” means the Owner of a residence containing one or two dwelling units that are connected to any Utility and where the total water consumption is measured by one water meter.
- 1.13. “Garbage” means and includes the refuse of animal matter, vegetable matter or any other matter which has been used or is intended for use as food, Ashes, bottles, metals, cans or tins, crockery, glass, metal scraps, cloth, paper, wrappings, sweepings and all other similar items that accumulate in the household or result from commercial or industrial

- operations. It does not include human or animal excrement, stable refuse and toxic or hazardous materials;
- 1.14. “Garbage Bin” means a container provided by the Town for purposes of Garbage collection;
- 1.15. “Garbage Collector” means the Person or Persons authorized by the Town of Picture Butte to collect, remove and dispose of Garbage;
- 1.16. “Grass Container” means a receptacle constructed of non-corrosive durable metal or plastic, or recyclable paper bag, which:
- 1.16.1. Is equipped with two (2) handles to facilitate handling (except for recyclable paper bags),
  - 1.16.2. Has a capacity of not more than 76 liters (20 gallons), a height of not more than 0.8 meters (30 inches) and a diameter of not more than 0.6 meters (24 inches), and
  - 1.16.3. weighs, when filled, not more than 23 kilograms (50 pounds);
- 1.17. “Grease” means a material contained in the Sewage which may be extracted according to the laboratory procedure set forth in “Standard Methods for the Examination of Water and Wastewater”, expressed in milligrams per litre.
- 1.18. “Health Inspector” means a health inspector for Alberta Health Services or a health inspector appointed by the Town;
- 1.19. “Industrial Customer” means any Person who is identified in “Schedule A” or who, for a period of ninety (90) days exceeds the Discharge Limits as explained in this bylaw
- 1.20. “Institutional Customer” means such places as senior citizen housing, nursing homes, hospitals, and schools. Places such as day care centres, places of worship, museums, libraries, service and fraternal organisation’s buildings and governmental buildings are excluded from this definition.
- 1.21. “Mobile Home” means a dwelling suitable for long-term or permanent occupancy, and designed to be transported on its own wheels or by other means; and which, upon arriving at a residential site is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy;
- 1.22. “Mobile Home Park” means a parcel of land maintained and operated by an Owner or a manager providing spaces for the long term parking and occupancy of Mobile Homes and spaces for ancillary facilities including recreation area;
- 1.23. “Multi-Unit Dwelling” means a dwelling place comprised of more than one self contained dwelling unit, and without restricting the generality of the foregoing, includes apartment buildings, duplex houses, and single family homes with ancillary suites containing cooking, living, dining, sleeping and toilet facilities, whether or not such ancillary suites have a private out-side entrance;
- 1.24. “Owner” means the registered owner of the serviced property as registered with the Alberta Land Titles Registry, or, as the context may require, the owner of a Mobile Home unit;
- 1.25. “Peace Officer” means a member of the Royal Canadian Mounted Police or a special constable or Bylaw Enforcement Officer of the Town of Picture Butte;
- 1.26. “Person” means any individual, firm, company, association, society, corporation or group.
- 1.27. “Premises” means any land, building or part of a building supplied with Utilities by the Town.
- 1.28. “pH” means the logarithm to the base 10, of the reciprocal of the hydrogen ion concentration in moles per litre in solution. pH shall be determined by one of the procedures outlined in Standard Methods for the Examination of Water and Wastewater.
- 1.29. “Sewage” means any waste discharged or permitted to flow from residences, business buildings, institutions and industrial establishments into the Sewer System.
- 1.30. “Sewer Service Line” means that Sewer line from the building to the Street Main;

- 1.31. "Sewer System" means the system of sanitary Sewers in the Town, the sanitary Sewage lift stations, and the Sewage treatment plant or plants.
- 1.32. "Standard Methods for the Examination of Water and Wastewater" shall mean those methods as described in the latest edition of "Standard Methods for the Examination of Water and Wastewater", as published by the American Public Health Association, Inc.
- 1.33. "Street Main" means any water and/or Sewer main trunk line laid for the service of more than one Person;
- 1.34. "Surcharge" means the extra charge levied on Commercial, Industrial, and Institutional Customers for discharging sewage of a strength higher than permitted.
- 1.35. "Total Suspended Solids" (abbreviated TSS) means solid matter that can be removed by filtration through a standard filter as set forth in "Standard Methods for the Examination of Water and Wastewater".
- 1.36. "Town" means the corporation of the Town of Picture Butte as established under the Municipal Government Act or, if the context requires, the geographical area within the boundaries of the Town of Picture Butte;
- 1.37. "Utility" means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
  - 1.37.1. Water
  - 1.37.2. sewage disposal treatment
  - 1.37.3. waste management
  - 1.37.4. storm water management;
- 1.38. "Water Service Line" means that water line from the building to the Curb Stop;
- 1.39. "Yard Waste" means the cuttings from any one of the various narrow-leaved green plants growing densely in a lawn, leaves and clippings from shrubs or trees
- 1.40. "mg/L" means milligrams per litre.
- 1.41. "\$/kg" means dollars per kilogram.

## 2. GENERAL UTILITY PROVISIONS

### 2.1. Supply of Utilities

- 2.1.1. No Person other than the Town shall provide the same or similar type of Utility as is outlined in this Bylaw in any part of the Town except where special permission is given by the Town.
- 2.1.2. The Town shall supply Utility Service to the Owner of a property regardless of the fact that it may be rented or leased.
- 2.1.3. The Owner of the property shall be responsible for the construction, maintenance and repair of the Water Service Line. The Owner of the property shall be responsible for the maintenance of the Sewer Service Line and for the construction and/or replacement of any section of the Sewer Service Line from the building to the property line.
- 2.1.4. All developed properties within Town must use Town supplied Utilities. Utility Services are provided together as a service. Customers are not eligible to opt out of individual Utility services.

### 2.2. Application for Service Connection

- 2.2.1. All Customers shall comply with the Customer Account Terms and Conditions as set out in Schedule "C".
- 2.2.2. Utility service shall be supplied to the Owner. No Utility service will be supplied to any renter, lessee or other Persons not considered the Owner of the property.



- 2.2.3. Any Owner who desires commencement of a Utility service from the Town shall apply in writing to the Town on the form supplied by the Town for that purpose.
  - 2.2.4. An Owner may request that their water service be physically shut off at the Curb Stop. The property Owner should submit to the Town office a completed Utility Application form with payment as set out in Schedule "A".
  - 2.2.5. All Owners must notify the Town office of any change to their contact information including mailing address or phone number within 14 days of the change.
- 2.3. Rates and Billings
- 2.3.1. Rates for all Utility services will be established by Council as outlined in Schedule "A"
  - 2.3.2. A Utility bill showing the current service charges for water, sewer and Garbage as stated in Schedule "A" sent to the Owner of the property each month. Payment for the amount due for the Utility bill shall be payable on the billing date. Payment will be accepted at the Town Office or at such other place as may be designated from time to time by Council. Failure to receive a billing shall in no way affect the liability of the Customer to pay the Account.
  - 2.3.3. In the event that any part of such Utility bill remains unpaid after the last day of the month in which the billing is sent, there shall be added thereto a penalty in the amount specified in Schedule "A" on the unpaid balance. This penalty is part of the arrears and subject to collection in the same manner as all other rates and charges.
  - 2.3.4. Any Person intending to vacate any Premises that have been supplied with water from the waterworks or who desires to discontinue the use shall give written notice of the same to the Town. Otherwise, the rates shall be charged until such notice is received by the Town. No rebate shall be made for any fractional part of a month in which any such notice is given.
  - 2.3.5. An Owner may request an administrative disconnect if a property is being sold, or will be vacant for a period greater than two (2) months. The property Owner should submit to the Town Office a completed Utility Application form with payment as set out in Schedule "A". An administrative disconnect includes performing a final reading of the water meter, issuing a final Utility bill and closing off of the account; it does not include a physical Curb Stop shut off.
  - 2.3.6. If, in the course of regular readings of water meters, a property is found to be using water after an administrative disconnect is complete, the Town shall issue a Utility bill for that month and said billing shall be subject to the same terms as a regular Utility bill.
- 2.4. Failure to Comply
- 2.4.1. Where a Customer is alleged to have breached any of the provisions of this Bylaw, the Town may serve upon such Customer a written notice specifying the breach and requiring that the breach be rectified within fourteen (14) days.



- 2.4.2. Should the problem not be rectified within the time limit specified, a penalty, the amount of which is set out in Schedule “A”, shall be added to the next and any subsequent Utility billing until the problem is rectified.
  - 2.4.3. This penalty shall be considered as part of the Utility charge and subject to the collection procedure as specified in Section 2.3 of this Bylaw.
  - 2.4.4. The Owner of any Mobile Home Park or Multi-Unit Dwelling shall be held responsible for ensuring that his/her renters comply with the provisions of this Bylaw and will be issued with the notice set out in Section 2.4.1. Failure to correct the problem will result in the penalty being added to the Utility billing sent to the Owner. All action will be subject to Section 2.4 except that each infraction from a different Person within the Mobile Home Park or Multi-Unit Dwelling will be counted as a separate incident.
  - 2.4.5. Any written notice issued under the provisions of Section 2.4.1. of this Bylaw shall be deemed to be sufficiently served if served personally upon the Owner or if mailed by regular mail to the address of the Owner.
- 2.5. Violations
- 2.5.1. Any Person who contravenes any provision of this Bylaw or any order made thereunder is guilty of an offence and is liable upon summary conviction to a fine as outlined in “Schedule A” and in default of payment of the fine to imprisonment for a period not exceeding SIX (6) MONTHS.
  - 2.5.2. Where a Peace Officer believes that any Person has committed a breach of any provision of this Bylaw, they may cause a Violation Ticket to be served upon such Person pursuant to Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.
  - 2.5.3. The Town also retains the right to discontinue Utility service to anyone who continues to violate the regulations of this Bylaw.
- 2.6. Utility Charges Added to Taxes
- 2.6.1. Any Utility charges in arrears for services supplied by the Town or any other charges for Utility services supplied by the Town to any land or Premises may be added to the taxes assessed against the real property to which the Utility has been supplied, and may be collected in any of the ways provided for in the collection of taxes, including the sale of the said property.
  - 2.6.2. In addition to the methods outlined herein for the recovery of outstanding charges, the Town reserves the right to discontinue service to any property where any charge for service or work remains outstanding for a period of more than thirty (30) days.
- 2.7. Dispute
- 2.7.1. In case of any dispute as to the proper charges to which any Person is subject by reason of the provisions herein contained, the matter shall first be referred to the CAO, and where the dispute is not settled to the satisfaction of the complainant, such complainant may refer the matter to Town Council. Final appeal may then be made in the manner provided in The Public Utilities Board Act of the Province of Alberta.

### 3. POTABLE WATER

#### 3.1. General Provisions

- 3.1.1. The Owner of the property shall be responsible for all water registered by the water meter as having been drawn from the water system.
- 3.1.2. No Person being a Customer shall vend, sell or dispose of water, or give away, or permit the same to be taken or carried away, or use, or supply it to the use or benefit of others or to any other use and benefit, or shall wrongfully or negligently waste any water.
- 3.1.3. No Person shall operate, interfere with, damage or make inaccessible any Curb Stop due to the construction of walks, driveways, or any other means.
- 3.1.4. The Town reserves the right to enter any land or building for the purpose of constructing, maintaining or repairing any water meter or Water Service Line or Sewer Service Line after giving reasonable notice. Costs associated with these construction, maintenance or repair services are an amount owing to the Town by the Owner of the land.

#### 3.2. Connection to the Water System

- 3.2.1. No Person without first having obtained permission to do so, shall make connection with any of the service lines or Street Mains. Permission to make connection to a Street Main shall only be granted as part of a development agreement. The applicant for the said permission shall be totally liable for any damage caused while making such connections and also shall provide adequate safety provisions during said construction.
  1. No permission shall be granted to any Person except licensed plumbers or authorized employees of the Town or contractor authorized by the Town.
  2. The Owner of the property shall be responsible for all costs related to service connections to the Street Mains.
- 3.2.2. If repairs or construction changes are required due to inaccessibility or damage of a Curb Stop, the Owners of the property serviced by said Curb Stop shall, in addition to the penalties of this Bylaw, be required to assume all costs involved.

#### 3.3. Supply of Water

- 3.3.1. The Town may shut off the water supplied to the land or Premises of any Customer for any purpose that, in the opinion of the Town, it may be appropriate to do so.
- 3.3.2. It is hereby declared that no Person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from the failure of the water supply from any cause what so ever.
- 3.3.3. The Town reserves the right to refuse service to any user in the event of misuse of the truck fill facility. Misuse may include, but is not limited to, use of unsafe water tanks such as those used for pesticide or fertilizer, abuse of Town equipment or property in any way and attempted fraudulent usage. The Town has a zero tolerance approach to these types of behaviors and

any such activity will result in usage privileges being revoked.

3.4. Water Meters

- 3.4.1. Each individual dwelling unit shall have a separate water meter, except such dwelling units within a Multi-Unit Dwelling within one parcel of land where all dwelling units have the same Owner, or a Mobile Home Park.
- 3.4.2. Should a meter, while on the Premises of the Customer, be destroyed or damaged, the cost of repairing or replacing the meter shall be paid for by the Owner of the land.
- 3.4.3. Costs for the installing the meter shall be paid by the Owner of the land at the time of installation. Rates charged by the Town for the installation of water meters shall be the fee as set in Schedule "A".
- 3.4.4. Reading of the water meters shall be made by the Town on such days and at such times as the Town may require. The meter reader shall have the right to enter any Premises that may be required for the purpose of performing his/her meter reading duties.
- 3.4.5. Regular readings of the water meters shall be performed by Town staff starting no earlier than the 5 business days prior to month end.

3.5. Water Restrictions

- 3.5.1. When an emergency, as determined by the Chief Administrative Officer, in the water supply occurs, the Town may restrict the use of water from the Town supply system. When these restrictions are in effect, no Person shall water any lawn, garden, street, yard, or ground or use a hose or similar device to wash vehicles or the exteriors of houses or other buildings during such times. Notification of such emergency shall be provided by any means available.
- 3.5.2. Failure to comply with Section 3.5.1. will result in a penalty as defined in Schedule "A".
- 3.5.3. The Town, in specifying restrictions on the use of water for the purpose set out in Section 3.5. may vary the hours and days of use for differing portions of the Town and may attach such other conditions as deemed necessary.

3.6. Water Wastage

- 3.6.1. No Person shall waste any water supplied by the Town in any way, whether by improper or leaky service pipes, fixtures or taps, or by permitting water to run to prevent taps or pipes from freezing, or by improper or excessive use of water.
- 3.6.2. No Owner or Occupant of a parcel shall allow Potable Water to run off the parcel such that there is:
  - 1. a stream of water running into a street or swale for a distance of 30 meters or more from the edge of the parcel;
  - 2. a stream of water running into a street or swale and directly into a catch basin; or
  - 3. a stream or spray of water running into or falling onto a street or sidewalk.

- 3.6.3. Notwithstanding the prohibitions in Section 3.6, the Chief Administrative Officer may authorize the discharge of Potable Water onto a street or sidewalk for the purposes of:
1. health and safety;
  2. the installation and maintenance of infrastructure, including the flushing of water mains, hydrant leads and water service connections;
  3. preventing the freezing of water mains, hydrant leads and water service connections;
  4. conducting water flow tests;
  5. installation and testing of permanently installed irrigation systems;
  6. training programs for fire fighters employed by the Town of Picture Butte; or
  7. other purposes as deemed necessary by the Chief Administrative Officer from time to time.

#### 4. SEWERAGE

##### 4.1. GENERAL PROVISIONS

###### 4.1.1. CONNECTING TO SANITARY SEWER

1. The Owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Town and abutting on any highway, or right-of-way in which there is now or hereafter located a sanitary Sewer of the Town, is hereby required at his expense to install suitable Sewage waste disposal facilities therein and to connect such facilities directly with the proper sanitary Sewer System of the Town in accordance with the provisions of the Plumbing and Drainage Act within sixty days after the date of notice from the Health Office or Plumbing Inspector to do so.
2. Except as permitted by this Bylaw or the Town plumbing requirements or the regulations of the Provincial Board of Health, no Person shall construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of Sewage in the Town.
3. All new development is required to discharge foundation drain water into a sump. Sumps shall discharge to the stormwater system, in a manner as identified in the City of Lethbridge Engineering Standards and Design Guidelines.
4. No sump pump shall be directly connected to any part of a plumbing system that connects to a sanitary service connection.
5. Only recreational vehicles shall be permitted to dump into the Town's sanitation dump located at the Regional Park.

###### 4.1.2. PROHIBITION OF DISCHARGE

1. Except as hereinafter provided, no Person shall release or discharge or cause or permit the discharge or deposit of matter of a kind listed below into any of the Town's Sewer:
  - a. Matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a Sewage works employee, or which may be or may become harmful to a Sewage works, or which may interfere with the proper operation of a Sewage works, or which may impair or interfere with any Sewage treatment process, or which is or may result in a hazard to any Person,

animal, property or vegetation and without limiting the generality of the foregoing, any of the following;

- b. Solid or viscous substances in quantities or of such size as to be capable of causing an obstruction to the flow in the Sewer System or other interference with the proper operation of the Sewage collection system and treatment facilities, including but not limited to paunch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines, guts, tissues or stomach casings, whole blood, bones, hides or parts thereof, animal fat or flesh in particles larger than will pass through a quarter inch screen, manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations, any Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, and un-ground Garbage.
- c. Sewage that may be noxious or may cause an offensive odour to emanate from the Sewer System, and without limiting the generality of the foregoing, Sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, carbon monoxide, amines or ammonia in such quantities that may cause an offensive odour.
- d. Water that has originated from a source separate from the water distribution system of the Town except as permitted in writing by the Town.
- e. Sewage containing flammable or explosive materials, such as gasoline, naphtha, or hexane of a quantity that could cause or contribute to an explosion or support combustion in the Sewer System.
- f. Sewage containing dyes or colouring materials which pass through the Sewer System and discolours the wastewater treatment plant effluent.
- g. Sewage or water at a temperature greater than 75 degrees Celsius.
- h. Sewage having a pH of lower than 5.5 or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to the structures, equipment and personnel of the Town.
- i. Sewage in which the COD exceeds 10,000 mg/L.
- j. Sewage containing more than 10,000 mg/L of TSS.
- k. Sewage containing more than 50 mg/L of total Kjeldahl nitrogen expressed as TKN-N.
- l. Sewage containing more than 10 mg/L of total phosphorus expressed as P.
- m. Sewage containing more than 300 mg/L of solvent extractable material (TOG: total oil and Grease).
- n. Sewage containing more than 25 mg/L of solvent extractable non-polar material (TPH: total petroleum hydrocarbons).
- o. Sewage containing any of the following in excess of the indicated concentrations:

1500 mg/L

Chlorides expressed as Cl

Sulphates expressed as SO<sub>4</sub>

50 mg/L

Aluminum expressed as Al  
Iron expressed as Fe

10 mg/L  
Fluoride expressed as F

5 mg/L  
Antimony expressed as Sb  
Bismuth expressed as Bi  
Cobalt expressed as Co  
Lead expressed as Pb  
Manganese expressed as Mn  
Molybdenum expressed as Mo  
Silver expressed as Ag  
Tin expressed as Sn  
Titanium expressed as Ti  
Vanadium expressed as V

3mg/L  
Chromium expressed as Cr  
Copper expressed as Cu  
Cyanide expressed as CN  
Nickel expressed as Ni  
Sulphides expressed as S  
Zinc expressed as Zn

1 mg/L  
Arsenic expressed as As  
Beryllium expressed as Be  
BTEX - total of benzene, toluene, ethylbenzene and  
xylenes  
Cadmium expressed as Cd  
Phenol Compounds  
Selenium expressed as Se

0.05 mg/L  
Mercury expressed as Hg

2. The following wastes in any amount:
  - a. Biological hazardous waste
  - b. Hazardous waste chemicals
  - c. Pesticides (including herbicides and insecticides)
  - d. Polychlorinated biphenyls (PCBs)
  - e. Radioactive materials and wastes
3. In determining whether the limit with respect to any matter prescribed in Section 4.1.2. is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be obtained by dilution.
4. Section 4.1.2. does not apply to prevent the discharge of human waste.

#### 4.1.3. INTERCEPTORS

1. Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of business

when in the opinion of the Director Town they are necessary for the proper handling of liquid waste containing Grease in excessive amounts, or any flammable wastes, sand, other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director Town and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all Grease, oil and sand interceptors shall be maintained by the occupant Owner at his/her expense in continuously efficient operation at all times.

#### 4.1.4. BLOCKAGE

1. In case any blockage, either wholly or in part, of said Sewer system is caused by reason of failure, omission or neglect to comply strictly with the foregoing provisions, the Owner concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the Town for all costs of clearing such blockage and for any other amount for which the Town may be held legally liable because of such blockage.

#### 4.1.5. INSPECTIONS

1. The Town shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission or neglect to clean out sumps, or discloses any defect in the location, construction, design or maintenance of the Sewer Service Line, the Person making such inspection shall in writing notify the said Owner to rectify the cause of complaint.
2. No Person except duly authorized employees of the Town, shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town Sewer.

#### 4.1.6. LIABLE FOR DAMAGES

1. The Town is not liable for damages:
  - a. caused by the breaking, plugging or stoppage of any sanitary Sewer main or storm sewer main;
  - b. caused by the interference with the supply of any water service or Sewer necessary in connection with the repair or proper maintenance of Sewers;
  - c. generally for any accident due to the operation of the sewerage disposal system of the Town; unless such accident is shown to be directly due to the negligence of the Town or its employees.

#### 4.2. DOMESTIC CUSTOMERS

- 4.2.1. A Domestic Customer that owns or occupies a property connected with the Town Sewer System shall pay to the Town:
  1. The fixed "sewage service charge" as specified in Schedule "A" for each Town water meter on the property.

#### 4.3. COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL CUSTOMERS

- 4.3.1. A Commercial, Industrial and Institutional Customers that own or occupy a property connected with the Town Sewer System shall pay to the Town:



1. The fixed “sewage service charge” as specified in Schedule “A” for each Town water meter on the property, and
  2. A Surcharge as calculated in Section 4.3.5. when Sewage exceeds the Discharge Limits.
  3. The sampling costs as specified in Schedule “A” when Sewage exceeds the Discharge Limits.
    - a. Sampling Costs shall continue until the Commercial, Industrial or Institutional Customer’s Sewage is not in violation of the Discharge Limits for a period of three consecutive months.
- 4.3.2. A Surcharge is levied when the concentration of one or more of the characteristic components in the discharged sewage is higher than the maximum concentration permitted for those components. The maximum permitted concentration for each sewage component is set out in Schedule “B”.
- 4.3.3. In determining sewage characteristics for Surcharge purposes, samples shall be of at least one hour’s accumulation when received in the automatic proportional samplers, or of a composite of four separate grab samples collected within a one hour period when no functional proportional sample exist.
- 4.3.4. Where a Sewage sample characteristic of either BOD, TSS or Grease be in excess of the Discharge Limits as set forth in Schedule “B” and the samples were collected according to Section 4.3.9., the Commercial, Industrial or Institutional Customer discharging such Sewage shall be in violation of the Discharge Limits.
1. When a Commercial, Industrial or Institutional Customer is in violation of the Discharge Limits the Town shall collect one sample per week from the Commercial, Industrial or Institutional Premise. This practice will continue until the Commercial, Industrial or Institutional Customer is not in violation of the Discharge Limits for a period of three consecutive months.
- 4.3.5. The Surcharged shall be calculated by:
1. Calculating a monthly average for BOD, TSS or Grease levels, based upon the results of the grab samples as outlined in Section 4.3.9.
  2. Subtracting the allowable limit from monthly averaged BOD, TSS or Grease level.
  3. Multiplying the difference of Section 4.3.5.2. by the waste water flow.
    - a. Waste water flow is the volume of Sewage effluent discharged from the property into the Town Sewer System. When waste water flow is not recorded by a functional sewage meter, the flow to the Sewer System shall be equal to ninety-five percent water consumption as recorded on the Customer’s water meters less the volume recorded on approved exemption meters.
  4. Multiplying the result of 4.3.5.3. by the Surcharge.
- This calculation can be expressed as [Average monthly reading (mg/L) minus allowable limit (mg/L)] times [wastewater flow (m3)] times [surcharge rate (\$/kg)]
5. No credit will be given for any BOD, TSS or Grease levels that are not in violation of the Discharge Limits.

6. Only one of the Sewage sample characteristics of B.O.D. TSS, or Grease needs to be in excess of the Discharge Limits to constitute a Discharge Limits violation.
- 4.3.6. The Director may authorize adjustments to the billed sewage characteristics where the casual incident is accidental in nature and results in sewage characteristic values greater than twice (2x) the median value for the billing period. Said adjustment shall be limited to a maximum of twice (2x) the median value.
- 4.3.7. All new Industrial, Institutional or Commercial 2 Premises shall provide and erect a suitable enclosure to facilitate sewage sampling and flow measurement. The enclosure shall be of a type and in a location to the satisfaction of the Town. The Industrial, Institutional and Commercial 2 Customers shall discharge all sewage from waste from their property through such meter and sewage sampler.
- 4.3.8. Characteristics of Sewage Effluent
  1. The Town shall from time to time determine the characteristics of the sewage effluent being discharged into Sewer System from each property of a Commercial, Industrial or Institutional Customer in the Town.
  2. The Town, in determining the characteristics of the Sewage effluent being discharged, may:
    - a. cause sampling and analysis of the Sewage effluent to be taken; and
    - b. consider the type of industry or business being conducted or operated by the Person; and
    - c. consider such other information as the Town may deem necessary.
  3. The Town shall maintain a record of investigations made in respect to each Commercial, Industrial or Institutional Customer.
- 4.3.9. Testing of Effluent
  1. The Town may direct any Commercial, Industrial or Institutional Customer connected or about to connect to the Town's Sewer System that the characteristics of such Customer's Sewage effluent being discharged into the system be tested.
  2. The testing of the characteristics of the Sewage shall be done by sampling and an analysis of the Sewage effluent composed of a minimum of three (3) days of composite sampling during a period of three calendar months (quarterly). When more than three samples are taken and analyzed the maximum resulting characteristics of the three highest daily results shall determine the Customer's Sewage characteristics.
  3. Samples are to be collected from a Sewage sampler or, in its absence, samples shall be composited on a twenty-four (24) hour or more basis and the weighed fraction of each test shall be averaged throughout the three day test period.
  4. All costs of tests, sampling and analysis as outlined in Section 4.3.9. shall be borne by the Town.

#### 4.3.10. Connections to Sewage System

1. Each Commercial, Industrial or Institutional Customer desiring to become connected to the Town's Sewer System shall, prior to being joined to the Sewer System, supply to the Town information on the quality and quantity of its proposed plant's Sewage effluent.
2. the information to the Town shall include:
  - a. Sewage volume;
  - b. Biochemical oxygen demand;
  - c. suspended solids;
  - d. "pH" factor of alkalinity or acidity;
  - e. temperature;
  - f. concentration of wastes and type; and
  - g. Chemical oxygen demand; and
  - h. such other information as the Director Town deems pertinent.
3. Prior to approving a building application, Town is of the opinion that any proposed new development of a potential Commercial, Industrial or Institutional Customer may discharge Sewage effluent of a volume or quality which would cause the existing Sewer systems and plant to exceed its capacity, it may refuse permission for such a proposed plant to be connected with the existing Sewer System.
4. The Town may, by its officers, employees and agents, enter upon any property and Premises served or to be served with the Town's Sewer System and into which Sewage effluent may be discharged for the purpose of obtaining samples of such Sewage effluent.
5. If the Director is of the opinion that it is necessary, he may order a Commercial, Industrial or Institutional Customer to install a suitable control manhole to permit the observation, sampling and measurement of the Sewage effluent discharged by the Customer into the Town Sewer System.
6. The construction of any manhole pursuant to Section 4.3.10.5. shall be accessible, safely located, and constructed in accordance with plans approved by the Town.
7. The cost of constructing and maintaining a manhole pursuant to Section 4.3.10.5. shall be borne by the Commercial, Industrial or Institutional Customer who shall maintain the same in a safe and accessible manner.

#### 4.3.11. Prohibition or Control of Discharge

1. The Town may prohibit or control the discharge of any wastes or Sewage effluent or types before the same is discharged by any Commercial, Industrial or Institutional Customer into the Town's Sewer System by:
  - a. Requiring the Customer to provide preliminary treatment of such Sewage effluent, wastes, or other deleterious matter, substance or thing, whether liquid or solid.
  - b. Requiring the Owner of any property to construct and properly maintain such works as the Town may deem necessary for the proper treatment of any Sewage effluent, wastes or other deleterious matter, substance or thing, whether liquid or solid, before

the same is discharged into any stream, water course, or the Town's Sewer System.

- c. Preventing the discharge of any Sewage effluent, wastes or other deleterious matter, substance or thing, whether liquid or solid into any stream, watercourse, or the Town's Sewer System where works ordered to be constructed have not been constructed or maintained to the satisfaction of the Town.

2. Without limiting the generality of Section 4.3.11, the Town may order any Commercial, Industrial or Institutional Customer to construct, to properly maintain and operate at all times such works for the preliminary treatment of Sewage wastes, as may be required to prevent any of the matters, things or substances referred in Section 4.1.2 from being released or discharged into the Sewer system of the Town from such Premise.
3. No commercial sewer, drain, or septic tank cleaning business shall be given permission to discharge into the Town's Sewer System unless providing service to the Town and prior approval has been given.

## 5. WASTE MANAGEMENT

### 5.1. General Provisions

- 5.1.1. No Person shall collect, dispose of or remove Refuse Garbage except in accordance with the provisions of this Bylaw.
- 5.1.2. No Person other than a Customer, or the Refuse Garbage Collector shall open any Garbage Bin or Grass Container and in any way disturb the contents thereof or handle, interfere with or disturb any Garbage put out for collection or removal.
- 5.1.3. No Person shall deposit any, dead animal, manure, excrement, Garbage, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Health Inspector and in accordance with the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 and Regulations.
- 5.1.4. The Garbage Collector, will not remove any Garbage that is in a container other than what is defined in this Bylaw.
- 5.1.5. No Person shall directly or otherwise dispose of or permit any Person to dispose of any hazardous, explosive, volatile, noxious or dangerous device, substance or thing, including hot Ashes or burning matter or any unwrapped wet Garbage in any Garbage Bin, or Grass Container.

### 5.2. COLLECTION AND DISPOSAL

- 5.2.1. The Town will provide one (1) initial Garbage Bin to each Domestic Customer. Additional bins as replacements for damaged, lost or stolen bins are the responsibility of the property Owner and must be purchased through the Town Office for the cost stated in Schedule "A".
  1. The Town will provide up to five (5) Garbage Bins to each Utility account that has their Garbage classified as "Institutional". Additional bins as replacements for damaged, lost or stolen bins are the responsibility of the

property Owner and must be purchased through the Town Office for the cost stated in Schedule "A".

- 5.2.2. All Customers shall maintain their Garbage Bin and Grass Containers. If the Garbage Bin becomes damaged or the Refuse Garbage Collector is unable to pick the Garbage Bin up due to damage the Owner will be responsible to replace the damaged Garbage Bin as outlined in Schedule "A".
- 5.2.3. Garbage Bins shall be put out on the street directly in front of Customers or Owner's property on the scheduled day for their pick up as determined by the Town. If directed by the Town, Garbage Bins shall be put in the alley for pick up.
- 5.2.4. Where any Premises is serviced by a lane, Garbage Bins shall not obstruct traffic in the lane.
- 5.2.5. No Person shall leave a Garbage Bin on the street or alley for over 48 hours.
- 5.2.6. All Customers shall put all of their Garbage into plastic bags and place them in the Garbage Bin. The Garbage Bin will not be picked up if Garbage is not placed in plastic bags.
- 5.2.7. All Customers shall ensure that all Garbage shall fit within the Garbage Bin so that the Garbage Bin's lid is closed. Only Garbage within the Garbage Bin with the lid closed will be disposed of by the Garbage Collector.
- 5.2.8. All Customers shall keep the land in the rear of their Premises to the center line of the lane in a clean and tidy condition and free from Garbage or Yard Waste.
- 5.2.9. Clippings from shrubs and trees shall not be put out for collection unless the same are compactly and securely tied in bundles not exceeding four (4) feet in length.
- 5.2.10. Grass cuttings and garden waste, including weeds shall be placed in a Grass Container and placed for collection in the back alley.
- 5.2.11. Collections of Garbage shall be made by the Garbage Collector on such days and at such times as the Town may appoint. The Garbage Collector shall have the right to enter at all appointed times such portions of all Premises within the Town as may be required for the purpose of performing his collection, removal and disposal duties.
- 5.2.12. The Town shall at any time and from time to time, enter into a contract or contracts with any Person, firm or corporation for the collection, removal and disposal of the whole or any part of the Garbage accumulated within the Town, or may provide for the collection, removal and disposal of Garbage by the use of equipment and employees of the Town.
- 5.2.13. The Garbage Collector shall not be responsible for the collection and removal of any of the following types of Garbage except under a separate agreement between the Town and the Customer and upon payment of such charges as may be set out in such agreement:
  1. Garbage resulting from the construction, repair, decorating, clearing or grading of a building or premises,

2. scrap metal including car bodies, chassis, machinery or parts or garage refuse,
3. household chattel, material or equipment which has an overall length of more than four (4) feet or an overall weight of more than twenty-three (23) kilograms (fifty (50) pounds),
4. other refuse including such items as tires, auto parts and wooden boxes.

5.2.14. The Town may, by written notice, direct any Customer to promptly provide additional Garbage Bins where the Town considers either that the number of Garbage Bins or their condition is inadequate or insufficient in practice to meet the spirit and intent of this Bylaw.

### 5.3. RECYCLING

5.3.1. The Town promotes the use of the recycling depot for those products that can be recycled. To aid in the efficiency of the recycling process products should be sorted, flattened and clean.

5.3.2. Recyclable goods are those goods deemed by the Lethbridge Regional Waste Management Service Commission as recyclable.

### 6. RESCINDING BYLAWS

6.1. This Bylaw hereby rescinds Bylaw No. 860-17.

This Bylaw comes into force and effect upon the final reading thereof.

MOVED by Councillor de Kok to approve the FIRST reading of Bylaw No. 872-18 this the 23<sup>rd</sup> day of July, 2018.

CARRIED

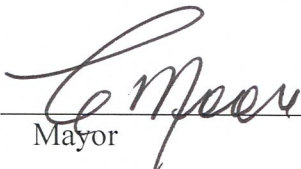
MOVED by Councillor Papworth to approve the SECOND reading of Bylaw No. 872-18 this the 27<sup>th</sup> day of August, 2018.

CARRIED

MOVED by Councillor Feist to approve the THIRD and FINAL reading of Bylaw No. 872-18 this the 27<sup>th</sup> day of August, 2018.

CARRIED

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**SCHEDULE “A”**

**WATER RATES**

Non-Residential/Single Dwelling Residential:	\$48.50 per month
Multi-Unit Dwelling:	\$48.50 per month per dwelling unit
Mobile Home Parks:	\$41.23 per month per dwelling unit
Institutional	\$48.50 per month
Overages	\$1.90 per cubic meter
Accounts outside Town limits:	Double the pertinent in-Town rate
Overages outside Town limits:	\$2.10 per cubic meter

- 20 cubic meters of water will be supplied to each dwelling unit per month for the monthly fee.
- Overages will be charged according to water usage over and above the 20 cubic meters of water supplied per month.
- For Multi-Unit Dwellings and for Mobile Home Parks the per month fee will be multiplied by the number of dwelling units, regardless of whether the dwelling is occupied or vacant.

Bulk Water Truck Fill	
Account Set Up and Card	\$25.00
Water per cubic meter	\$ 4.00
Water Card Replacement	\$10.00

Raw Water	
Residential	\$125.00 annually
Non Residential	\$330.00 annually

Water Meters	
Installation	\$550.00
Removal	\$ 50.00
Repair or Replacement	Cost + 10%
Meter Test	\$125.00

- Repair or replacement charges will only be applied when there is evidence that the meter needs repair or replacement because it has been tampered with.

Utility Disconnection Fee	
Administrative Disconnect	\$ 25.00
Physical Disconnect	\$ 65.00 (Regular work hours)
	\$150.00 (Non-regular work hours)

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**SEWERAGE RATES**

DOMESTIC CUSTOMERS	
Single-Unit Dwelling	\$18.75 per month
Multi-Unit Dwelling	\$18.75 per month per dwelling unit
Mobile Home Park	\$15.94 per month per dwelling unit
INSTITUTIONAL CUSTOMERS	
	\$107.50 per month
COMMERCIAL 1 CUSTOMERS	
	\$18.75 per month
Banks and Financial Institutions	
Confectionary	
Liquor Stores	
Medical Clinics	
Meeting Places	
Professional Offices	
Pharmacy	
Places of Worship	
Retail Outlets	
COMMERCIAL 2 CUSTOMERS	
	\$34.00 per month
Fabrication	
Manufacturing	
Machining	
Welding	
Restaurants	
Fast Food Services	
Vehicle Repair	
INDUSTRIAL CUSTOMERS	
	\$107.50 per month
Car Washes	
Truck Washes	
Slaughter Houses	
Hotels/Motels	
DISCHARGE LIMITS CHARGE – INSTITUTIONAL, COMMERCIAL & INDUSTRIAL CUSTOMERS	
BOD	\$0.243/Kg
TSS	\$0.340/Kg
COMMERCIAL/ RESIDENTIAL COMBINED CUSTOMERS	
	\$34.00 per month
Accounts Outside of Town Limits	Double the pertinent in-Town rate

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**WASTE MANAGEMENT RATES**

GARBAGE COLLECTION:	
Residential	\$16.75 per month
Multi-Unit Dwelling	\$11.00 per dwelling unit
Mobile Home Park	\$14.24 per dwelling unit
Commercial	\$22.50 per weekly pickup per month
Mixed Commercial / Residential	\$22.50 per weekly pickup per month
Institutional	\$102.00 per month (2 weekly pickups)
Garbage Bin Replacement	\$100.00 per bin

**UTILITY PENALITIES AND FINE RATES**

Utilities in Arrears	2% per month (26.82% per annum)
Non Sufficient Funds (NSF)	\$45.00 per incident.
Failure to Comply	
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1000.00

## **SCHEDULE “B”**

### **DISCHARGE LIMITS**

For existing Commercial, Institutional and Industrial Customers only:

1 year from bylaw implementation:

BOD:	800 mg/L
TSS:	1,000 mg/L
Grease:	300 mg/L

Second year from bylaw implementation

BOD:	500 mg/L
TSS:	750 mg/L
Grease:	300 mg/L

Third year from bylaw implementation

BOD:	300 mg/L
TSS:	500 mg/L
Grease:	300 mg/L

For new Commercial, Institutional and Industrial Customers

BOD:	300 mg/L
TSS:	500 mg/L
Grease:	300 mg/L

## **SCHEDULE “C”**

### **CUSTOMER ACCOUNT TERMS AND CONDITIONS**

The applicant hereby requests the Town of Picture Butte to: affect the utility service (water, sewer, garbage). The stated premises are occupied as a residence/business. The applicant is the owner of the property.

The applicant agrees to be responsible for any damage which occurs to the premises or associated equipment due to the connection or disconnection of the utility services as requested in this application, unless such damage is due to negligence on the part of the Town.

The applicant agrees to be governed by the Bylaws of the Town and all statutes and regulations of the Province of Alberta regarding the use of utility services and agrees to pay in accordance with the prevailing Utility Rate Bylaws within the stated time.

The Town will take every reasonable precaution to insure continuity of service to its customers, but assumes no responsibility for any damage, inconvenience or annoyance caused by service interruptions at any time or of any duration.

The applicant understands that the Town will supply the utilities only if they are used in a safe and proper manner and that it is a condition precedent to the supply of these utilities that the application will permit any authorized person to enter the premises described above at any reasonable time to ensure the safe and proper use of any of the utilities by the applicant. Should the authorized person be refused permission to enter and inspect the premises, the Town will immediately discontinue the supply of utilities.

The applicant agrees that if the premises are not owner occupied, that the applicant will advise the occupant of the terms and conditions of this application for utility service.

# Town of Picture Butte

## Bylaw No. 875 – 18

### BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO RESTRICT THE CONSUMPTION OF CANNABIS IN PUBLIC PLACES;

**WHEREAS** the House of Commons has given three readings to the Cannabis Act (Bill C-45, An Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, 1st Sess., 42nd Parl, 2017) which will permit persons to possess Cannabis if purchased from an authorized person;

**AND WHEREAS** the Cannabis Act came into force on October 17, 2018;

**AND WHEREAS** the Province of Alberta has enacted An Act to Control and Regulate Cannabis, S.A. 2017, c. 21 which places restrictions on the Smoking or Vaping of Cannabis in Public Places;

**AND WHEREAS** pursuant to section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council may pass bylaws respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) people activities and things in, on or near a Public Place that is open to the public; and
- (c) the enforcement of bylaws made under the Municipal Government Act or any other enactment;

**AND WHEREAS** Council deems it necessary to impose additional restrictions on the Smoking, Vaping and other forms of consumption of Cannabis in Public Places to prevent behaviours and conduct that may have a negative impact on the enjoyment of Public Places;

**NOW THEREFORE** the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

#### Short Title

1. This Bylaw may be cited as the "Cannabis Consumption Bylaw"

#### Definitions and Interpretations

2. (1) In this Bylaw:
  - a. "Cannabis" has the meaning given to it in the Cannabis Act;
  - b. "Cannabis Act" means Bill C-45, An Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Act, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2017;
  - c. "Electronic Smoking Device" means an electronic device that can be used to deliver a vapour, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe;
  - d. "Officer" means a member of the Royal Canadian Mounted Police or a special constable or Bylaw Enforcement Officer of the Town of Picture Butte.
  - e. "Public Place" includes any place to which the public has access as of right or by invitation, express or implied;
  - f. "Smoke" or "Smoking" means:
    - i. inhaling or exhaling the smoke produced by burning or heating Cannabis;
    - or

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- ii. holding or otherwise having control of any device or thing containing lit or heated Cannabis;
  - g. "Vape" or "Vaping" means:
    - i. inhaling or exhaling the vapour, emissions or aerosol produced by an Electronic Smoking Device or similar device containing Cannabis, or
    - ii. holding or otherwise having control of an Electronic Smoking Device that is producing vapour, emissions or aerosol from Cannabis.
- (2) All Schedules attached to this Bylaw form part of this Bylaw.
- (3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.
- (4) Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference is to the act, regulation, code or other bylaw as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- (5) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- (6) Nothing in this Bylaw relieves a person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or license.

### **Prohibition**

3. A person must not Smoke, Vape or consume Cannabis in any Public Place.

### **Offences**

4. Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw.

### **Enforcement**

5. (1) Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*.
- (2) This section shall not prevent an Officer from issuing a violation ticket requiring a court appearance of the defendant pursuant to the *Provincial Offences Procedure Act* or from laying information instead of issuing a violation ticket.

### **Penalty**

6. (1) Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the specified penalty for the offence
- (2) Where there is a minimum penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum penalty for the offence.

(3) In this section, "specified penalty" means an amount that can be paid by a person who is issued a violation ticket and is authorized to make a voluntary payment without a Court appearance.

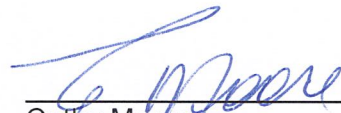
### **Coming Into Force**

7. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.


MOVED by Councillor de Kok to approve FIRST reading of Bylaw #875-18 this 22<sup>nd</sup> day of October, 2018.  
CARRIED

MOVED by Councillor de Kok to approve SECOND reading of Bylaw #875-18 this 17<sup>th</sup> day of December, 2018.  
CARRIED

MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #875-18 this 17<sup>th</sup> day of December, 2018.  
CARRIED

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

SEAL

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer



SCHEDULE A

PENALTIES

Section	Description of Offence	Minimum Penalty	Specified Penalty
3	Smoke, Vape or consume Cannabis in Public Place	\$50	\$200 Subsequent offences within one (1) year will increase by \$100 per offence

Am/W

TOWN OF PICTURE BUTTE  
BYLAW NO. 879-19

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaws 690-92 and 872-18".

2. AMENDMENTS:

- 2.1. Bylaw No. 690-92 shall be amended as follows:

2.1.1. Delete Section 3 (f) wording:

1. "...showing payment of the license fee for the current dog license year and upon payment of the sum on ONE DOLLAR (\$1.00) for the issuance of a replacement tag".

2.1.2. Replace Section 3 (f) wording with:

1. "...showing payment of the license fee for the current dog license year and upon receiving the payment, as outlined in Schedule "A", for the issuance of a replacement tag".

2.1.3. Delete Schedule A and replace with "Bylaw No. 690-92 Schedule A" as attached hereto.

2.1.4. Delete Schedule C.

- 2.2. Bylaw No. 872-18 shall be amended as follows:

2.2.1. Schedule A: Water Rates:

1. Bulk Water Truck Fill: Water per cubic meter: Change from \$4.00 to \$4.32

2.2.2. Schedule A: Waste Management Rates: Garbage Collection:

1. Residential: Change from \$16.75 to \$19.00  
2. Multi-Unit Dwelling: Change from \$11.00 to 13.75  
3. Mobile Home Park: Change from \$14.24 to \$16.15  
4. Commercial: Change from \$22.50 to \$25.50  
5. Mixed Commercial / Residential from \$22.50 to \$25.50  
6. Institutional: Change from \$102.00 to \$104.25

3. COMING INTO EFFECT

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

MOVED by Councillor de Kok to approve FIRST reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED

MOVED by Councillor Papworth to approve SECOND Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED

MOVED by Councillor Feist that permission be granted to move to THIRD AND FINAL reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED UNANIMOUSLY

MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Bylaw No. 690-92  
Schedule "A"

AMENDED BY BYLAW NO. 879-19

Annual Licenses:

Unaltered dog	\$ 30.00
Altered dog	\$ 20.00
Senior or blind person	No charge
Dog Fancier's License	\$ 30.00
Impounded Animals per day (after initial 24 hours)	\$ 30.00
Replacement Dog Tag	\$ 5.00

Dog licenses purchased after September 30<sup>th</sup> will be charged at half the annual rate

Fees

1. ~~The owner of every dog, male or female shall pay the following annual license fee.....\$5.00~~
2. ~~Dogs owned by blind persons and senior citizens shall be registered with the License Inspector.....Free of Charge.~~
3. ~~Kennel License.....Home Occupations Permit  
(Licensing Bylaw #689/92)~~
4. ~~Dog Fancier's License.....\$30.00~~
5. ~~Maintenance fee for impounded animals (after initial 24 hours), per day \$10.00~~
6. ~~Request for destruction or disposal of a dog:  
— during normal business hours.....\$25.00  
— after normal business hours, and on Saturday's,  
Sunday's and holidays:.....\$70.00~~

WOW

Schedule "C"

~~DESTRUCTION OR DISPOSAL OF A DOG~~

I, \_\_\_\_\_ of \_\_\_\_\_ in the Town of Picture Butte,  
in the Province of Alberta, request that the Town Dog Control Officer destroy or dispose of the  
following described  
dog. \_\_\_\_\_  
\_\_\_\_\_

And I hereby:

- 1) \_\_\_\_\_ Certify that I own the said dog or have authority from the owner to have it:
  - a) \_\_\_\_\_ Destroyed;
  - b) \_\_\_\_\_ Disposed of.
- 2) \_\_\_\_\_ Agree to indemnify and save the Town of Picture Butte harmless from any and all claims  
or actions that may arise as a result of this request.
- 3) \_\_\_\_\_ I agree to pay the Town of Picture Butte:
  - a) \_\_\_\_\_ A fee of \$25.00 during normal business hours;
  - b) \_\_\_\_\_ A fee of \$70.00 after normal business hours or on a Saturday, Sunday, or holiday

For the services requested.

DATED at the Town of Picture Butte, in the Province of Alberta, this \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. 19\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

Bylaw No 872-18  
SCHEDULE "A"

WATER RATES

Non-Residential/Single Dwelling Residential:	\$48.50 per month
Multi-Unit Dwelling:	\$48.50 per month per dwelling unit
Mobile Home Parks:	\$41.23 per month per dwelling unit
Institutional	\$48.50 per month
Overages	\$1.90 per cubic meter
Accounts outside Town limits:	Double the pertinent in-Town rate
Overages outside Town limits:	\$2.10 per cubic meter

- 20 cubic meters of water will be supplied to each dwelling unit per month for the monthly fee.
- Overages will be charged according to water usage over and above the 20 cubic meters of water supplied per month.
- For Multi-Unit Dwellings and for Mobile Home Parks the per month fee will be multiplied by the number of dwelling units, regardless of whether the dwelling is occupied or vacant.

Bulk Water Truck Fill	
Account Set Up and Card	\$25.00
Water per cubic meter	\$ <del>4.00</del> \$4.32
Water Card Replacement	\$10.00

Raw Water	
Residential	\$125.00 annually
Non Residential	\$330.00 annually

Water Meters	
Installation	\$550.00
Removal	\$ 50.00
Repair or Replacement	Cost + 10%
Meter Test	\$125.00

- Repair or replacement charges will only be applied when there is evidence that the meter needs repair or replacement because it has been tampered with.

Utility Disconnection Fee	
Administrative Disconnect	\$ 25.00
Physical Disconnect	\$ 65.00 (Regular work hours)
	\$150.00 (Non-regular work hours)

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SEWERAGE RATES

DOMESTIC CUSTOMERS

Single-Unit Dwelling	\$18.75 per month
Multi-Unit Dwelling	\$18.75 per month per dwelling unit
Mobile Home Park	\$15.94 per month per dwelling unit

INSTITUTIONAL CUSTOMERS	\$107.50 per month
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COMMERCIAL 1 CUSTOMERS	\$18.75 per month
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- Banks and Financial Institutions
- Confectionary
- Liquor Stores
- Medical Clinics
- Meeting Places
- Professional Offices
- Pharmacy
- Places of Worship
- Retail Outlets

COMMERCIAL 2 CUSTOMERS	\$34.00 per month
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- Fabrication
- Manufacturing
- Machining
- Welding
- Restaurants
- Fast Food Services
- Vehicle Repair

INDUSTRIAL CUSTOMERS	\$107.50 per month
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- Car Washes
- Truck Washes
- Slaughter Houses
- Hotels/Motels

DISCHARGE LIMITS CHARGE – INSTITUTIONAL, COMMERCIAL & INDUSTRIAL CUSTOMERS

BOD	\$0.243/Kg
TSS	\$0.340/Kg

COMMERCIAL/ RESIDENTIAL COMBINED CUSTOMERS	\$34.00 per month
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Accounts Outside of Town Limits	Double the pertinent in-Town rate
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CW  
W

**WASTE MANAGEMENT RATES**  
Amended by Bylaw No. 879-19

**GARBAGE COLLECTION:**

Residential	<del>\$16.75</del> per month \$19.00
Multi-Unit Dwelling	<del>\$11.00</del> per dwelling unit \$13.75
Mobile Home Park	<del>\$14.24</del> per dwelling unit \$16.15
Commercial	<del>\$22.50</del> per weekly pickup per month \$25.50
Mixed Commercial / Residential	<del>\$22.50</del> per weekly pickup per month \$25.50
Institutional	<del>\$102.00</del> per month (2 weekly pickups) \$104.25
Garbage Bin Replacement	\$100.00 per bin

**UTILITY PENALITIES AND FINE RATES**

Utilities in Arrears	2% per month (26.82% per annum)
Non Sufficient Funds (NSF)	\$45.00 per incident.
Failure to Comply	
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1000.00

*140*



**Town of Picture Butte  
IN THE PROVINCE OF ALBERTA**

**CHINOOK INTERMUNICIPAL SUBDIVISION  
AND DEVELOPMENT APPEAL BOARD  
BYLAW NO. 880-19**

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD;

AND WHEREAS the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* as amended from time to time requires the municipality to adopt a bylaw to establish a Municipal Subdivision and Development Appeal Board or an Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Council of the Town of Picture Butte wishes to join other area municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Chinook Intermunicipal Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of a Subdivision Authority or a Development Authority in accordance with the South Saskatchewan Regional Plan (SSRP), the *Municipal Government Act (MGA)*, the Subdivision and Development Regulation, the local Land Use Bylaw and statutory plans;

NOW THEREFORE, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

**1. TITLE**

This Bylaw may be cited as the Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw.

**2. AUTHORIZATION**

Pursuant to section 627(1)(b) of the *MGA*, this bylaw hereby authorizes the municipality to enter an agreement with the other participating municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

**3. DEFINITIONS**

**Appellant** means the person who may file an appeal to the Board from decisions of a Subdivision Authority or a Development Authority in accordance with the *MGA*.

**Board** means the Chinook Intermunicipal Subdivision and Development Appeal Board established pursuant to this bylaw.

**Board Member** means an appointed member of the Chinook Intermunicipal Subdivision and Development Appeal Board appointed in accordance with this bylaw and who has obtained provincial training and certification.

**Board Panel** means the group of appointed Board Members actively sitting to hear and decide on an appeal at an appeal hearing.

**Chair** means the person elected from the Board panel members sitting to hear an appeal to act as the person who presides over the hearing and the procedures.

**Chief Administrative Officer (CAO)** means the individual appointed to the position for the municipality in accordance with the *MGA*.

**Clerk** means the person or persons who has completed training and is certified by the province and authorized to act as the administrative clerk for the Intermunicipal Subdivision and Development

*(Signature)*

Appeal Board by the member municipality within which the appeal is held.

**Conflict of Interest** means both Common Law Bias and Pecuniary Interest.

**Council** means the Council of the (Municipality).

**Development Authority** has the same meaning as in the *MGA*.

**Hearing** means a public meeting convened before the Board acting as a quasi-judicial body to hear evidence and determine the facts relating to an appeal of decisions of a Subdivision Authority or a Development Authority, prior to the Board making a decision on the matter subject to the appeal.

**Municipality** means the municipal corporation of the Town of Picture Butte together with its jurisdictional boundaries, as the context requires.

**Panel Member** means an individual Board member participating in the group panel to hear an appeal.

**Participating municipality** means a municipality in the Province of Alberta who has entered into an agreement with other municipalities, as referred to in Section 2 of this bylaw, to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

**Procedural guidelines** means the policies, processes and administrative matters applicable to the filing of an appeal and conducting a hearing, and the roles, duties and conduct of Board members and Clerks.

**Subdivision Authority** has the same meaning as in the *MGA*.

**Subdivision and Development Appeal Board** has the same meaning as in the *MGA*.

**Quorum** means the minimum number of Board panel members required to hear an appeal.

**Municipal Government Act (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended from time to time.

**Chinook Intermunicipal Subdivision and Development Appeal Board** means the Board established by agreement to act as the Subdivision and Development Appeal Board.

**All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

#### **4. APPOINTMENT OF THE BOARD**

- (1) The Board is comprised of the member representative(s) as appointed by the participating municipalities.
- (2) A municipality may participate in the Chinook Intermunicipal Subdivision and Development Appeal Board without appointing individual representative(s) by utilizing the appointed Board Members of the other participating member municipalities to act on the municipality's behalf as its appeal body.
- (3) For each member municipality appointing individual Board Member representative(s) to the Chinook Intermunicipal Subdivision and Development Appeal Board, the appointment shall be made by resolution of Council. Appointed Board Members from a municipality shall consist of no more than three (3) members, with no more than one (1) being an elected official and the other two (2) being non-elected officials who are persons at large. If two (2) or less persons are appointed as members, they must be non-elected persons at large.
- (4) For those member municipalities appointing individual representative(s) to the Board, the remaining composition of the Board Panel Members shall be the appointed members from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board.
- (5) Appointments to the Chinook Intermunicipal Subdivision and Development Appeal Board shall be made for a term of not more than three years. Reappointments must coincide with the successful completion of the mandatory provincial refresher training course to be taken every three (3) years.

WJ CW

- (6) Board Members may be appointed for a two (2) or three (3) year term, at the discretion of the municipality, for the purpose of establishing a staggered expiration of terms amongst the Board Members.
- (7) A Board Member may resign from the Chinook Intermunicipal Subdivision and Development Appeal Board at any time by providing written notice to the municipality to that effect.
- (8) Where Council has appointed a Board Member representative(s) for the municipality, Council may remove its individual appointed Board Member representative(s) at any time if:
  - a) in the opinion of Council, a Board Member is not performing his/her duties in accordance with the MGA, this Bylaw or the rules of natural justice,
  - b) a Board Member is absent for more than three (3) consecutive hearings to which he/she has been assigned to sit on the Board Panel without reasonable cause, or
  - c) a Board Member has participated in a matter in which that Board Member has a Conflict of Interest, contrary to the provisions of this Bylaw.

## **5. COMPOSITION**

- (1) The Board Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall meet in Panels, and two (2) or more Panels may meet simultaneously. The Panels have all the powers, duties and responsibilities of the Subdivision and Development Appeal Board.
- (2) For the purpose of this Bylaw, the Board Panel formed from the appointed members of the Chinook Intermunicipal Subdivision and Development Appeal Board to hear an appeal, shall normally be composed of not less than three persons, with no more than one (1) being an elected official.
- (3) Two Board Members constitute a quorum of the Board Panel.
- (4) If a vacancy of an appointed Board member representative from a municipality shall occur at any time, the municipality may appoint another person to fill the vacancy by resolution of Council.
- (5) In the absence of the municipal appointed member representative(s) of the municipality in which the appeal originates being available to sit on a Panel, then the appointed Panel Member representative(s) from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board shall form the composition of the Board Panel to hear and decide on a matter of appeal on behalf of the municipality.
- (6) Board Panel Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall not be members of a Municipal Subdivision Authority or Development Authority or municipal employees of the municipality in which the appeal is located.
- (7) A person appointed as a Board Member in accordance with this Bylaw must successfully complete and maintain the mandatory provincial training and certification prior to sitting on a Panel to hear an appeal.

## **6. COSTS AND REMUNERATION**

- (1) Board Members may be entitled to reasonable remuneration for time and expenses relating to participating on a Board Panel.
- (2) Costs related to appeal hearings and the remuneration to Board Members shall be provided as specified in the intermunicipal agreement of the participating members of the Chinook Intermunicipal Subdivision and Development Appeal Board.

## **7. DUTIES OF THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- (1) The Chinook Intermunicipal Subdivision and Development Appeal Board shall hold hearings as required pursuant to the *Municipal Government Act* on a date to be determined by the Board.
- (2) The Board, and those Members who sit as a Board Panel hearing an appeal, shall govern its actions and hearings in respect of the processes and procedures as outlined in the Procedural Guidelines.
- (3) A Board Member may only participate in an appeal hearing if they have successfully completed the mandatory provincial training prior to the appeal hearing date.

- (4) The Board Panel may, at its discretion, agree to adjournments in respect of the processes and procedures as outlined in the Procedural Guidelines.
- (5) A Board Panel hearing an appeal shall appoint a Chair to preside over the proceedings prior to the commencement of the hearing.
- (6) An order, decision or approval made, given or issued by the Board Panel and under the signature of the Chair, or a Board Member acting as a designate, is the decision of the Board.
- (7) The Board Members shall conduct themselves in a professional, impartial and ethical manner and apply the principles of administrative justice and judicial fairness.
- (8) The Board Members shall consider and act in respect of the Chinook Intermunicipal Subdivision and Development Appeal Board Procedural Guidelines.
- (9) The Board does not have the jurisdiction or authority to award pecuniary or monetary awards or costs to any persons, entity or organization involved in an appeal.

## 8. APPEAL FILING

- (1) An appeal shall be filed in writing by an appellant, in accordance and in the manner prescribed in the *MGA*, to the municipality and include the payment of the applicable municipal appeal fee.
- (2) If there is a question about the validity of an appeal being filed, the Board Panel must convene the appeal hearing in accordance with the *MGA* to establish jurisdiction and then it may decide on the matter of validity. It shall be the responsibility of the Board Panel to make the determination of whether the appeal is valid.
- (3) In the event an appeal is abandoned or withdrawn in writing by the appellant, the Board Panel shall not be obliged to hold the appeal hearing referred to in the *MGA* unless another notice of appeal has been served upon the Board in accordance with the *MGA*.

## 9. CLERK RESPONSIBILITIES AND DUTIES

- (1) Council shall by resolution appoint a Clerk as a designated officer, or sub-delegate to its CAO the authority to appoint a Clerk or Clerks, for the specific purposes of providing administrative assistance to the Board in fulfilling its legislative duties.
- (2) The appointed Clerk shall attend all meetings and hearings of the Chinook Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Board.
- (3) A person appointed as a Clerk to assist the Chinook Intermunicipal Subdivision and Development Appeal Board in accordance with this bylaw must have successfully completed the mandatory provincial training prior to assisting the Board in its legislative duties.
- (4) The Clerk, acting for the Board, shall accept on behalf of the Board appeals which have been filed with the municipality in relation to a decision of the Subdivision Authority or the Development Authority.
- (5) The Clerk of the Board shall keep records of appeals and proceedings for the municipality in which the appeal has been filed, as outlined in the Procedural Guidelines.

## 10. ADMINISTRATIVE

- (1) **Singular and Masculine** – Words importing the singular number shall include the plural number and vice versa and words importing one gender only in this Bylaw shall include all genders and words importing parties or persons in this Bylaw shall include individuals, partnerships, corporations, and other entities, legal or otherwise.
- (2) **Severability** – 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.

## 11. ENACTMENT

- (1) This bylaw shall come into effect upon third and final reading thereof.
- (2) This Bylaw rescinds Bylaw No. 752-99, being the former Intermunicipal Subdivision and Development Appeal Board Bylaw, and any amendments thereto.

MOVED by Councillor de Kok to approve FIRST reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

MOVED by Deputy Mayor Watson to approve SECOND reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

MOVED by Councillor Feist that permission be granted to move to THIRD AND FINAL reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED UNANIMOUSLY

MOVED by Mayor Moore to approve THIRD AND FINAL reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

Seal



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Cathy Moore  
Chief Elected Official



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Keith Davis  
Chief Administrative Officer

**BYLAW NO. 881-19**  
**OF THE TOWN OF PICTURE BUTTE**

(hereinafter referred to as "the Municipality")

**IN THE PROVINCE OF ALBERTA**

**This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of a debenture in the amount of \$1,000,000.00 for the purpose of constructing an outdoor pool basin.**

**WHEREAS:**

The Council of the Town of Picture Butte has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of construction of an outdoor pool basin.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$3,783,791.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Capital Reserves	\$1,568,579.00
Provincial Grants	\$1,215,212.00
Debenture(s)	<u>\$1,000,000.00</u>
Total Cost	\$3,783,791.00

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$1,000,000.00 for a period not to exceed TWENTY FIVE (25) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty five years.

The principal amount of the outstanding debt of the Municipality at December 31, 2018 is \$782,044.00 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of constructing the outdoor pool basin the sum of ONE MILLION DOLLARS (\$1,000,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$1,000,000.00 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the construction of an outdoor pool basin.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed twenty five (25) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed EIGHT (8%) percent.

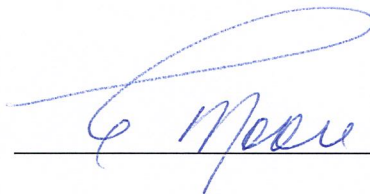
4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
7. This by-law comes into force on the date it is passed.

MOVED by Councillor Feist to approve FIRST reading of Bylaw #881-19 this 8<sup>th</sup> day of April, 2019.  
CARRIED

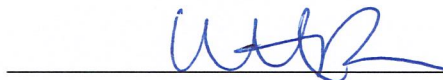
MOVED by Councillor Feist to approve SECOND Bylaw #881-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

MOVED by Councillor Papworth approve THIRD AND FINAL reading of Bylaw #881-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

SEAL



Cathy Moore  
Mayor



Keith Davis  
Chief Administrative Officer



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 882-19**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte has been requested to redesignate (rezone) a portion of lands located at **552 – Rogers Ave (Highway 519) and legally described as Lot 11, Block 2, Plan 169JK**, from “**Residential Multi-unit – R5**” to “**Residential – R1**” as shown on the Map in Schedule ‘A’.

AND WHEREAS the purpose of the proposed amendment is to return the lot back to its previous land use designation (zoning) to allow for the future construction of a single detached dwelling on the said property, along with applying the associated specific land use district standards applicable to the parcel of land with a “Residential – R1” designation.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

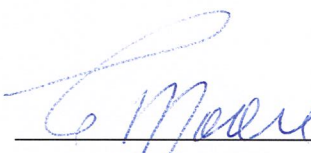
1. Lands, described as Lot 11, Block 2, Plan 169JK as shown on Schedule ‘A’, be redesignated from “Residential Multi-unit – R5” to “Residential – R1”.
2. The Land Use District Map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.


MOVED by Councillor de Kok to approve FIRST reading of Bylaw #882-19 this 8<sup>th</sup> day of April, 2019.  
CARRIED

MOVED by Deputy Mayor Watson to approve SECOND Bylaw #882-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

MOVED by Councillor Papworth to approve THIRD AND FINAL reading of Bylaw #882-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

Seal

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

## TOWN OF PICTURE BUTTE

### BYLAW # 883-19

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2019 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on May 27, 2019; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2019 total **\$3,535,527.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,204,587.89**, and the balance of **\$1,330,939.11** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 315,750.52	
Non-Residential	<u>\$ 83,104.83</u>	
		\$ 398,855.35
Opted Out School Boards:		
Residential / Farmland	\$ 44,572.51	
Non-Residential	<u>\$ 31,090.25</u>	
		<u>\$ 75,662.76</u>
Total School Requisitions		\$ 474,518.11
Green Acres Foundation (Seniors Requisition)		\$ 25,619.50
Designated Industrial Property (DIP Requisition)		<u>\$ 173.58</u>
<b>Total Requisitions for 2019</b>		<b>\$ 500,311.19</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 130,862,060.00
Residential / Farm Land – Separate	\$ 18,472,970.00
Non-Residential / Linear – Public	\$ 22,190,580.00
Non-Residential / Linear – Separate	\$ 8,301,690.00
Machinery and Equipment – Public	\$ 1,868,310.00
Machinery and Equipment – Separate	<u>\$ 38,720.00</u>
<b>Total Assessment for 2019</b>	<b>\$ 181,734,330.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,051,333.15	\$149,335,030.00	7.04010
Non-Residential and M&E	\$ 279,605.96	\$ 32,399,300.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 315,750.52	\$130,862,060.00	2.41285
Non-Residential	\$ 83,104.83	\$ 22,190,580.00	3.74505
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 44,572.51	\$ 20,039,490.00	2.41285
Non-Residential	\$ 31,090.25	\$ 8,301,690.00	3.74505
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 25,619.50	\$181,734,330.00	0.14097
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 173.58	\$ 2,141,450.00	0.07860
<b>GRAND TOTAL</b>	<b>\$ 1,831,250.30</b>		

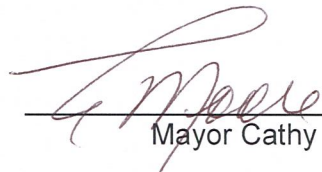
2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 27<sup>th</sup> day of May, 2019

Read a second time in Council assembled this 27<sup>th</sup> day of May, 2019

Council unanimously resolved to proceed to third reading this 27<sup>th</sup> day of May, 2019

Read a third time in Council assembled this 27<sup>th</sup> day of May, 2019

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis



## TOWN OF PICTURE BUTTE

### BYLAW # 884-19

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, RESPECTING THE APPOINTMENT OF BYLAW ENFORCEMENT OFFICERS AND SETTING OUT THE POWERS AND DUTIES OF BYLAW ENFORCEMENT OFFICERS AND ESTABLISHING DISCIPLINARY PROCEDURES OF BYLAW ENFORCEMENT OFFICERS;**

**WHEREAS**, pursuant to Section 555 (1) (2), 556 of the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto, empower Town Council to appoint Bylaw Enforcement Officers for the purpose of enforcing compliance with Bylaws.

**AND WHEREAS**, the Town Council shall by bylaw, set out the powers and duties of Bylaw Enforcement Officers.

**AND WHEREAS**, the Town Council shall, by bylaw, establish disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by Bylaw Enforcement Officers.

The Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, **HEREBY ENACT AS FOLLOWS:**

1. This Bylaw may be cited as the Municipal Enforcement Officers Bylaw.
2. Definitions:
  - a) **"BYLAW"** – means a bylaw of the Town of Picture Butte
  - b) **"BYLAW ENFORCEMENT OFFICER"** - means a person appointed by the Council as such and who, in the execution of his duties, is authorized to enforce compliance of Bylaws.
  - c) **"C.A.O"** – means the Chief Administrative Officer as appointed by Council.
  - d) **"COMMITTEE"** or **"COMMITTEE OF TOWN COUNCIL"** – means a Committee of the Whole Town Council, or any other committee as designated by Council.
  - e) **"COUNCIL"** – means the Municipal Council of the Town duly assembled and acting as such.
  - f) **"DIRECTOR"** – means the Director of Emergency Services for the Town of Picture Butte
  - g) **"TOWN"** - means the Town of Picture Butte.
3. The Council may appoint one or more Bylaw Enforcement Officers for the purpose of enforcing compliance with the Town's Bylaws.
4. The power of the Bylaw Enforcement Officers is as follows:
  - a) To enforce the Bylaw(s) which Council has authorized the Bylaw Enforcement Officer to enforce.
  - b) To respond to and investigate complaints, conduct routine patrols and issue notices, tickets or tags.
  - c) To report to the Director and carry out the directions accordingly.

- d) To perform all other duties as may from time to time be assigned by the Director.
  - e) To take the oath of office as prescribed by the *Oaths of Office Act* upon being appointed a Bylaw Enforcement Officer, and to carry upon their person at all such times as they are active as a Bylaw Enforcement Officer, evidence of their appointment as a Bylaw Enforcement Officer of the Town.
  - f) To assist in the prosecution of breaches of municipal Bylaws including: the gathering of evidence, the attendance of witnesses and any appearances in court that may be required.
5. Where it is alleged that a Bylaw Enforcement Officer in carrying out his power has committed a disciplinary default as defined by the Bylaw, the C.A.O. shall hold a hearing to determine if the disciplinary default occurred.
6. Where the C.A.O. intends to carry out a hearing to determine whether a Bylaw Enforcement Officer has committed a disciplinary breach, the following procedure shall be followed:
- a) Notice shall be given to all parties the C.A.O. considers to be affected by the alleged disciplinary breach:
    - i. Delivery of the notice of the hearing shall be considered received at least two working days prior to the hearing.
    - ii. Notice will inform the affected parties of their right to have a witness / representative, of their choosing, present throughout the hearing.
    - iii. Notice will inform the Bylaw Enforcement Officer of their right to have a witness / representative, of their choosing, present throughout the hearing.
  - b) At the hearing, the C.A.O. shall give the Bylaw Enforcement Officer and the affected parties a reasonable opportunity of furnishing relevant evidence.
  - c) The C.A.O. shall inform the Bylaw Enforcement Officer and the affected parties of the facts and / or allegations in sufficient detail to:
    - i. Permit understanding of the facts and / or allegations, and
    - ii. Afford a reasonable opportunity to furnish relevant evidence or contradict or explain the facts and / or allegations.
  - d) The C.A.O. shall give the Bylaw Enforcement Officer or representative and affected parties or representative an adequate opportunity of making representation by way of argument.
7. The C.A.O. shall, within two working days of the hearing, render a decision, in writing, incorporating one of the following:
- a) A ruling that the Bylaw Enforcement Officer has not committed a disciplinary breach and the file shall be closed;
  - b) Reprimand the Bylaw Enforcement Officer and retain a copy in his file for a period of one year;
  - c) Suspend the Bylaw Enforcement Officer from acting as a Bylaw Enforcement Officer for the Town, but such suspension shall not exceed six months;
  - d) Recommend to Council that the appointment of the Bylaw Enforcement Officer be terminated.

8. An appeal of the decision of the C.A.O. may be commenced by the Bylaw Enforcement Officer by filing a written notice of appeal with the Mayor within 30 days of the receipt of the written decision.
9. The Committee of the Town Council shall hold a hearing into the appeal within 30 days of the appeal to the Mayor.

The Committee shall give reasonable notice of the hearing to the appellant, to the C.A.O. and to such other parties as the Committee considers to be affected by the hearing.

In conducting a hearing, the Committee shall follow the procedures as set out in Clause 6 of this Bylaw. In determining an appeal, the Committee may confirm, revoke or vary the decision or any conditions attached to a decision by the C.A.O. and may:

- a) Rule that the Bylaw Enforcement Officer has not committed a disciplinary breach and the file shall be closed;
  - b) Reprimand the Bylaw Enforcement Officer, in writing, and retain a copy in their file for a period of one year;
  - c) Suspend the Bylaw Enforcement Officer from acting as a Bylaw Enforcement Officer for the Town but such suspension shall not exceed 6 months;
  - d) Recommend to Council that the appointment of the person as a Bylaw Enforcement Officer be terminated.
10. For purposes of this Bylaw, the following shall be disciplinary defaults:
- a) Discreditable conduct, where the Bylaw Enforcement Officer:
    - i. Acts in a disorderly or inappropriate manner, or in a manner prejudicial to discipline or likely to discredit upon the reputation of the Town of Picture Butte;
    - ii. Uses profane, abuse or insulting language
    - iii. Wilfully or negligently makes any false complaints;
    - iv. Is guilty of an indictable offence under a federal statute or an offence punishable upon summary conviction under the Criminal Code (Canada);
    - v. Withhold or suppresses a complaint or report;
    - vi. Abets, connives or is knowingly an accessory to a general default described by this Bylaw.
  - b) Insubordination, where the Bylaw Enforcement Officer, by word, action, and without lawful excuse, disobeys, omits or neglects to carry out any lawful order.
  - c) Neglect of duty, where the Bylaw Enforcement Officer,
    - i. Without lawful excuse neglects or omits to promptly and diligently perform a duty as a Bylaw Enforcement Officer,
    - ii. Fails to work in accordance with orders, or leaves an area, detail or other place of duty without due permission or sufficient cause;
    - iii. Fails, when knowing where an offender is to be found, to report them, or



iv. Fails to report a matter that it is their duty to report.

d) Deceit, where the Bylaw Enforcement Officer

- i. Knowingly makes or signs a false statement in an official document or book;
- ii. Wilfully or negligently makes a false, misleading or inaccurate statement pertaining to official duties, or
- iii. Without lawful excuse destroys, mutilates or conceals an official document or record or alters or erases any entry therein.

e) Breach of confidence, where the Bylaw Enforcement Officer

- i. Divulges any matter which is his duty to keep secret;
- ii. Gives notices, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons;
- iii. Without proper authorization from a superior or in contravention of any rule of the C.A.O. communicates to the news media or to any unauthorized person any law enforcement matter which could be injurious to any person or investigation;
- iv. Without proper authorization from the C.A.O. shows to any person not a Bylaw Enforcement Officer or any unauthorized member of the Town Staff any book or printed paper, document or report relating to any law enforcement matter that is the property of, or in the custody of the Town.

f) Corrupt practice, where the Bylaw Enforcement Officer

- i. Fails to account for or to make a prompt, true return of money or property received in an official capacity;
- ii. Places themselves under a pecuniary or other obligation to a person, in respect of whose conduct or business operation or employment, the member may likely have to report or give evidence, or
- iii. Improperly uses their position as a Bylaw Enforcement Officer for private advantage.

g) Unlawful or unnecessary exercise of authority, where the Bylaw Enforcement Officer is unnecessarily discourteous or uncivil to a member of the public.

h) Consuming intoxicating liquor or drugs in a manner prejudicial to duty where the Bylaw Enforcement Officer

- i. While on duty is unfit for duty through consuming intoxicating liquor or drugs;
- ii. Reports for duty and is unfit for duty through consuming intoxicating liquor or drugs;
- iii. Demands, persuades or attempts to persuade another person to give or purchase or obtain for a Bylaw Enforcement Officer while on duty any intoxicating liquor or drugs.

11. This Bylaw comes into force and effect upon the date of the passing of the third and final reading thereof.

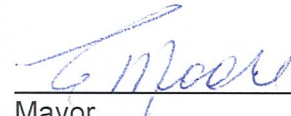


READ A FIRST TIME THIS 26<sup>TH</sup> DAY OF August, A.D. 2019.

READ A SECOND TIME THIS 26<sup>TH</sup> DAY OF August, A.D. 2019.

READ A THIRD TIME AND FINALLY PASSED THIS 26<sup>TH</sup> DAY OF August A.D. 2019.

**Town of Picture Butte**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 885-19

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA,  
TO PROVIDE FOR THE LICENSING, CONTROL AND REGULATION OF DOGS

WHEREAS Section 7 of the *Municipal Government Act*, Being Chapter M26, Revised Statutes of Alberta, 2000 provides for the passing of bylaws to regulate and control dogs within the municipality;

AND WHEREAS Council for the Town of Picture Butte has deemed it advisable to pass a bylaw to regulate the registration and keeping of dogs and to promote the concept of responsible pet ownership.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

This bylaw shall be referred to as the “Dog Control Bylaw”.

**1. DEFINITIONS**

- 1.1. “Aggressive Dog” means any dog, whatever its age, whether on public or private property which has:
  - 1.1.1. caused the demise of a person; or
  - 1.1.2. without provocation caused the demise of a domestic animal while off the property of the property owner; or
  - 1.1.3. Without provocation, chased, injured or bit a person or any other domestic animal; or
  - 1.1.4. Without provocation, threatened or created the reasonable apprehension of a threat to a person or to any other domestic animal; or
  - 1.1.5. Without provocation, damaged or destroyed any public or private property; or
  - 1.1.6. Which represents a continuing threat of serious harm to persons or animals.
- 1.2. “Animal Services Centre” means the Town facility established for the holding of impounded animals as set out in this bylaw
- 1.3. “Altered” means spayed, neutered or otherwise incapable of reproduction as certified by a qualified professional.
- 1.4. “Approved Foster Organisation” shall mean an organisation that rescues and fosters dogs and has been approved in writing for the purposes of this bylaw by a Town representative, and whose approved status has not been revoked by a Town representative.
- 1.5. “Assistance Dogs” are highly trained professional dogs that have received a Service Dog Identification Card from the Alberta government and work in partnership with disabled persons to increase the independence, safety and mobility of the human partner. These include guide and service dogs.
- 1.6. “Bylaw Enforcement Officer” means a person appointed by the Town pursuant to provisions of Section 555 of the Municipal Government Act, R. S. A. (2000), Chapter M-26.
- 1.7. “Chief Administrative Officer” or “CAO” means the Town’s Chief Administrative



Officer for the Town of Picture Butte as appointed by Town Council and includes any Persons authorized by him/her or the Town Council to act for or carry out the duties of the CAO to the extent that authorization is given.

- 1.8. "Council" shall mean the Municipal Council duly assembled and acting as such for the Town of Picture Butte.
- 1.9. "Dog" shall mean either the male or female of the canine family.
- 1.10. "Dog Fanciers Licence" shall mean a dog licence issued annually to an owner permitting the keeping or harbouring, on land or premises occupied by the owner of up to four (4) licenced dogs over the age of six months.
- 1.11. "Foster Home" shall mean the dwelling unit of an individual who has received a Foster Dog Licence from the Town and has been approved in writing by an Approved Foster Organisation to foster dogs on a temporary basis until a permanent owner can be found.
- 1.12. "Foster Dog Licence" shall mean a dog licence issued annually to an owner permitting the keeping or harbouring, on land or premises occupied by the owner of up to four (4) licenced dogs over the age of six months
- 1.13. "Fostering Dog Owner" shall mean the individual who has been approved, in writing, by an Approved Foster Organisation and has received a Foster Dog Licence from the Town to foster dogs in a Foster Home and who owns, keeps, possesses, harbours or acts as a guardian of the dog on a temporary basis until a permanent owner can be found. The Fostering Dog Owner shall be considered the owner of the dog under this bylaw while the dog is under their care.
- 1.14. "Leash" means a chain or other material capable of restraining a dog it is utilised for.
- 1.15. "Marked for Identification" means the placement of a traceable microchip or a discernable tattoo upon a dog.
- 1.16. "Owner" means any person who owns a dog or who has charge, care, custody, or control of, or has a right to control a dog for thirty (30) or more consecutive days, except a veterinarian caring for a dog in the regular practice of veterinary medicine.
- 1.17. "Parkland" means all recreational land areas owned or controlled by the Town and lying within the Town limits.
- 1.18. "Provincial Court" means the Provincial Court of Alberta
- 1.19. "Running at Large" means a dog which is not under control of a person by means of a leash and is actually upon property other than the property in respect of which the owner of the dog has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestle, sidewalk (including the boulevard portion of the sidewalk) park or other place.
- 1.20. "Tag" means a device as approved by the CAO, or designate, and issued by the Town, showing that a licence fee has been paid for a dog.
- 1.21. "Ticket" means any ticket which is authorized by the Municipal Government Act, R. S. A. (2000), Chapter M-26 or under the Provincial Offences Procedure Act, R.S. A. (2000), Chapter P-34, issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
- 1.22. "Town" means the corporation of the Town of Picture Butte as established under the Municipal Government Act or, if the context requires, the geographical area within the boundaries of the Town of Picture Butte
- 1.23. "Unsuitable Pet Owner" means a person who appears to be impaired, abusive or unable to provide the proper care and sustenance to an animal.



## 2. RESPONSIBILITIES OF OWNERS

- 2.1. Except as provided in Subsection 2.1.2. the owner of a dog shall not permit such dog to run at large.
  - 2.1.1. Where a dog is found Running at Large the owner thereof shall be deemed to have failed or refused to comply with the requirements of Subsection 2.1.
  - 2.1.2. The Town may designate areas where dogs are permitted to run when off leash, and may designate areas where organized and controlled canine events may be held causing signs to be posted in such areas indicating such designation.
- 2.2. The owner of a dog shall ensure that such dog shall not:
  - 2.2.1. bite a person or persons;
  - 2.2.2. do any other act that injures a person;
  - 2.2.3. chase or otherwise threaten a person whether on the property of the owner or not, unless the person chased or threatened is an intruder on the property of the owner;
  - 2.2.4. bite, or chase other animals, livestock, bicycles, automobiles, wildlife or other vehicles;
  - 2.2.5. bark and or howl excessively or unnecessarily, or otherwise creates a disturbance;
  - 2.2.6. cause damage to property or other animals;
  - 2.2.7. upset waste receptacles, scattering the contents in or about the streets, lanes or other public property or in or about a premise not belonging to the owner of the dog.
- 2.3. The owner of a dog which is in or on the rear/back of a vehicle while moving or parked must insure that:
  - 2.3.1. the dog is secured so as to insure the dog is unable to fall out of or leave the vehicle;
  - 2.3.2. the dog is secured so as to be unable to reach any of the sides or rear of the vehicle to prevent the dog from disturbing people adjacent or in close proximity to the vehicle.
- 2.4. It is an offence to stage a dog-fighting exhibition or to train and keep dogs for the purpose of staging a dog-fighting exhibition.
- 2.5. Any owner whose dog defecates on any public or private property other than the property of its owner shall remove forthwith any defecated matter deposited.
  - 2.5.1. A registered owner and or tenant shall not allow the accumulation of dog defecates on their property to become injurious or dangerous to the public health, or that might hinder in any manner the prevention or suppression of disease.
  - 2.5.2. A blind owner of a registered dog guide, or a blind person being assisted by a registered dog guide is not subject to the obligations imposed in Subsection 2.5.
- 2.6. Every owner of a female dog shall confine and house such female dog during the period the dog is in heat.
- 2.7. Any person leaving a dog unattended in a motor vehicle must ensure suitable conditions are provided that do not endanger the life of the dog including: appropriate ventilation, water, and or heat.
- 2.8. No dog shall be permitted in the following areas:
  - 2.8.1. Cor Van Raay and Community Aquatic Centre
  - 2.8.2. Town of Picture Butte Community Centre
  - 2.8.3. Picture Butte Municipal Library
  - 2.8.4. North County Recreation Complex



- 2.8.5. Baseball diamonds located at the Harry Watson Memorial Park
- 2.9. Section 2.8 shall not apply to Assistance Dogs.

### **3. ANIMALS SUSPECTED OF HAVING COMMUNICABLE DISEASES**

- 3.1. The owner of a dog which is suffering from any communicable disease shall not permit the dog to be in any public place, and shall not keep the dog in contact with or in proximity of any other dog free of such disease.
- 3.2. Any person who owns or who harbours, maintains or keeps a dog which they know or has reason to know, is or may be suffering from rabies, or which they know or believes has been exposed to rabies:
- 3.2.1. shall keep the dog locked or tied up;
- 3.2.2. shall not permit another dog to come in contact with it;
- 3.2.3. shall immediately report the matter to the Alberta Health Services Environmental Public Health officer, the Federal District Veterinarian and the Bylaw Enforcement Officer.

### **4. AGGRESSIVE DOGS**

- 4.1. A Bylaw Enforcement Officer may declare a dog to be an aggressive dog and shall do so by delivering a notice to the owner of the dog.
- 4.2. A dog that has been declared an aggressive dog may be seized and impounded until a Bylaw Enforcement Officer deems the dog may be returned to the owner or until the Aggressive Dogs Committee instructs that the dog shall be returned to the owner with or without conditions.
- 4.3. When a dog is declared an aggressive dog by a Bylaw Enforcement Officer a notice must be sent to the owner within three days. The notice may impose the following conditions regarding an aggressive dog:
- 4.3.1. That the dog will be euthanized.
- 4.3.2. That the dog may be returned to the owner conditional upon adherence to any or all of the following requirements:
- 4.3.2.1. The payment of an annual aggressive dog licence fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council is received by the Town;
- 4.3.2.2. That the dog be confined indoors and under the control of the owner;
- 4.3.2.3. That when the dog is outdoors it is locked in an approved locked pen, dog run or other structure constructed to prevent the escape of the aggressive dog and capable of preventing entry by any person not in control of the dog;
- 4.3.2.4. That the dog undergo a rehabilitation program;
- 4.3.2.5. That, at all times, when off the property of the owner, such dog is muzzled;
- 4.3.2.6. That, at all times, when off the property of the owner, such dog is harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents it from chasing, injuring or biting other domestic animals or humans as well as preventing damage to public or private property, and that the dog is under the control of a person over the age of eighteen (18) years.
- 4.4. The owner of a dog who has received a notice under Subsection 4.3 may object to the determination that the dog is an Aggressive Dog by delivering a written notice of objection addressed to the Chief Administrative Officer at the Town of Picture Butte – 120 4<sup>th</sup> Street, P.O. Box 1098 Picture Butte, AB. T0K 1V0. The notice shall be accompanied by a deposit as outlined in the Services, Fees,

*AW*  
*no*

- Rates and Charges Bylaw that will be returned to the owner if an appeal is successful in reversing the declaration that the dog is an Aggressive Dog.
- 4.5. The objection shall be heard by the Aggressive Dog Appeal Committee, providing the owner has deposited, concurrently with the notice of objection, the required deposit.

## **5. AGGRESSIVE DOG APPEAL COMMITTEE**

- 5.1. The Aggressive Dog Appeal Committee shall be Council.
- 5.2. The Aggressive Dog Committee may do any of the following after hearing the objection:
- 5.2.1. reverse an euthanasia order
  - 5.2.2. vary the conditions imposed by the Bylaw Enforcement Officer
  - 5.2.3. declare the dog not to be an aggressive dog and release the dog to the owner without any conditions
  - 5.2.4. uphold the Bylaw Enforcement Officers' order in respect of the dog
- 5.3. The owner of a dog declared to be an aggressive dog shall:
- 5.3.1. within five (5) business days after the dog has been declared aggressive have a licenced veterinarian tattoo or implant an electronic identification microchip in the animal and provide a copy of the information contained thereon to the Town prior to a licence being issued.
  - 5.3.2. be over the age eighteen (18) years
  - 5.3.3. obtain an aggressive dog licence within five (5) business days after the dog has been declared as aggressive; or
  - 5.3.4. obtain the annual licence for the aggressive dog on such day specified by the Town every year;
  - 5.3.5. notify the Town should the dog be sold, gifted, die or be transferred to another person;
  - 5.3.6. remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Town;
  - 5.3.7. notify the Town if the dog is running at large
- 5.4. Where a licence required pursuant to this Section has been paid for by the tender of an uncertified cheque, the licence:
- 5.4.1. is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the licence; and
  - 5.4.2. is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

## **LICENSING REQUIREMENTS**

### **6. DOG LICENSING**

- 6.1. The owner of a dog shall apply to the Town for an annual licence for such dog, and shall pay therefore an annual fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council. On payment of the licence fee the Town shall issue a tag with respect to that dog.
- 6.2. The owner of every dog shall obtain a licence for such dog, the first day on which the Town office is open for business after they become the owner of the dog, or the dog has attained the age of six (6) months and thereafter annually on the second day of January.
- 6.3. An owner shall ensure that any tag issued by the Town, as evidence of a Dog Licence, is attached to a collar worn by the dog whenever the dog is off the premises ordinarily occupied by the owner.
- 6.4. Subsection 6.3 does not apply when that dog has been marked for identification.
- 6.5. The fees payable for a Licence are pursuant to the Services, Fees, Rates and

Charges Bylaw as passed by Council. The fees are payable at the time of application or renewal and are non-refundable unless Council determines that a full or partial refund is appropriate.

- 6.6. The Town shall not issue any licence for a dog alleged to be altered, marked for identification, or both, without proof in a form satisfactory to the Town that the dog has been so altered or marked for identification.
- 6.7. Every Licence expires on the 2<sup>nd</sup> of January of every year.
- 6.8. In case a Tag is lost or destroyed, a replacement tag may be issued by the Town upon presentation by the owner of a receipt showing payment of the licence fee for the current dog licence year and upon payment pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council for the issuance of a replacement tag.
- 6.9. Tags are not transferable from one dog to another and no refund shall be made on any subsisting dog licence fee because of the death, loss or sale of the dog or upon the owner's leaving the Town before expiration of the licence period.
  - 6.9.1. A Fostering Dog Owner may transfer Tags, which are purchased, according to Section 6.1, for any dog that is being fostered.
- 6.10. In any prosecution or proceeding for a contravention of this section the burden of proof relating to the age of the dog shall be upon the owner and unless the contrary is proven the dog shall be presumed to have attained the age of six (6) months of age.
- 6.11. The full amount of the licence fee shall be payable for any dog older than six (6) months of age.
  - 6.11.1. Harboursing under 6 months referred to pups that are born to a currently licensed dog at that household.
- 6.12. The maximum number of dogs in a single-family dwelling or household shall be restricted to three (3) dogs over the age of six months except in the case where an owner is in receipt of a Dog Fancier's Licence or a Fostering Dog Licence.

## **7. FOSTERING DOG LICENCE**

- 7.1. Any person requesting a Fostering Dog Licence shall submit an application to the Town.
  - 7.1.1. All applications shall disclose:
    - 7.1.1.1. location for licence
    - 7.1.1.2. type of facilities
    - 7.1.1.3. consent of adjacent landowners
    - 7.1.1.4. approval in writing from an Approved Foster Organisation
    - 7.1.1.5. how many dogs they currently own and are licensed by the Town.
- 7.2. A Fostering Dog Licence shall not be issued without a Bylaw Enforcement Officer first inspecting the proposed location.
- 7.3. A Fostering Dog Licence shall not be issued if in the opinion of the Bylaw Enforcement Officer, the site or conditions are unsuitable.
- 7.4. Any person may appeal the decision of the Bylaw Enforcement Officer to the CAO, provided such appeal is submitted in writing within fourteen (14) days of the date of the Bylaw Enforcement Officers' decision.
- 7.5. Any approved licence shall be issued upon the payment of the fee as specified in the Services, Fees, Rates and Charges Bylaw passed by Council. Each dog owned under a Fostering Dog Licence shall have a Tag showing that it is a dog being fostered.
- 7.6. A Bylaw Enforcement Officer may remove the Fostering Dog Licence upon receipt of bona fide complaints from two (2) or more neighbours residing within sixty (60) meters of the residence of the licensee.



## **8. DOG FANCIER'S LICENCE**

- 8.1. Any person requesting a Dog Fancier's Licence shall submit an application to the Town.
  - 8.1.1. All applications shall disclose:
    - 8.1.1.1. location for licence
    - 8.1.1.2. purpose
    - 8.1.1.3. breed and sex of dogs
    - 8.1.1.4. type of facilities
    - 8.1.1.5. consent of adjacent landowners
- 8.2. A Dog Fancier's Licence shall not be issued without a Bylaw Enforcement Officer first inspecting the proposed location.
- 8.3. A Dog Fancier's Licence shall not be issued if in the opinion of the Bylaw Enforcement Officer, the site or conditions are unsuitable.
- 8.4. Any person may appeal the decision of the Bylaw Enforcement Officer to the CAO, provided such appeal is submitted in writing within fourteen (14) days of the date of the Bylaw Enforcement Officers' decision.
- 8.5. Any approved licence shall be issued upon the payment of the fee as specified in the Services, Fees, Rates and Charges Bylaw passed by Council. Each dog owned under a Dog Fancier's Licence shall be licenced.
- 8.6. A Bylaw Enforcement Officer may remove the Dog Fancier's Licence upon receipt of bona fide complaints from two (2) or more neighbours residing within sixty (60) meters of the residence of the licensee.

## **ANIMAL CONTROL OPERATIONS**

### **9. SEIZURE**

- 9.1. A Bylaw Enforcement Officer or Peace Officer may capture and impound any dog which is:
  - 9.1.1. actually or apparently over the age of six (6) months and for which no current licence has been issued pursuant to the provisions of this Bylaw when such a dog is off the premises of its owner;
  - 9.1.2. running at large;
  - 9.1.3. named or described or otherwise designated in a complaint made pursuant to the Dangerous Dogs Act;
  - 9.1.4. named or described or otherwise designated in a complaint alleging the dog to be aggressive;
  - 9.1.5. chasing, worrying or annoying any wildlife, livestock or domestic animal on property other than that belonging to the owner of the dog;
  - 9.1.6. a public nuisance, including but not limited to barking, howling excessively or unnecessarily, or otherwise creating a disturbance whether the dog is on the property of the owner or not;
  - 9.1.7. is required to be impounded pursuant to the provisions of any Statute of Canada or of the Province of Alberta or any regulation made thereunder;
  - 9.1.8. is considered to have their life in danger due to conditions the dog may be experiencing .
- 9.2. In the enforcement of this bylaw the Bylaw Enforcement Officer or Peace Officer may, after giving reasonable notice to the owner or occupier of land to be entered to carry out the inspection, remedy, enforcement or action, enter any privately owned land at any reasonable time, provided however, that in this section the word "premises" does not include a building and provided the provisions of

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Section 542 of the Municipal Government Act, R.S. A. (2000) Chapter M-26 are complied with.

9.3. No person shall:

- 9.3.1. interfere with or attempt to obstruct a Bylaw Enforcement Officer or Peace Officer who is attempting to capture, or who has captured any dog in accordance with the provisions of this bylaw;
- 9.3.2. induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture;
- 9.3.3. falsely represent themselves as being in charge or control of a dog so as to establish that the dog is restrained as the term is defined by this bylaw;
- 9.3.4. unlock or unlatch or otherwise open the vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape therefrom;
- 9.3.5. remove or attempt to remove any dog from the possession of the Bylaw Enforcement Officer or Peace Officer;
- 9.3.6. untie, loosen or otherwise free a dog which has been tied or otherwise restrained;
- 9.3.7. negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the Town.

## 10. IMPOUNDED DOGS

- 10.1. If a Bylaw Enforcement Officer knows or can ascertain the name of the owner of any impounded dog he or she shall serve the owner with a copy of the Notice in Schedule "A" of this Bylaw, either personally or by leaving it, at the last known address of the owner.
- 10.2. The owner of any impounded dog or aggressive dog that is being released with conditions may reclaim the dog or aggressive dog from the Animal Services Centre by paying to the Town the costs of impoundment pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council, and by obtaining the licence for such dog or aggressive dog should a licence be required under this Bylaw.
- 10.3. Where a dog is claimed, the owner shall provide proof of ownership of the dog.
- 10.4. The owner of a dog who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by him or her for reclaiming his or her dog.
- 10.5. The Town shall not sell, donate or euthanise an impounded dog until the following conditions are met:
  - 10.5.1. After a dog is retained in the Animal Services Centre for:
    - 10.5.1.1. five (5) business days after the owner has received notice or is deemed by Section 10.1 to have received notice that the dog is in the Animal Services Centre, or
    - 10.5.1.2. five (5) business days, if the name and address of the owner is not known, or unless a person having the authority orders the retention or the euthanising of the dog, or unless the owner of the dog makes arrangements with the Town for the further retention of the animal the Town may cause the dog to be sold, donated or euthanised.
  - 10.5.2. Notwithstanding Subsection 10.5 the Town may:
    - 10.5.2.1. retain a dog for a longer period; or
    - 10.5.2.2. euthanise a dog after a shorter period if humane purposes warrant.

  
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- 10.6. The Town may offer for sale or donate all unclaimed dogs which have been in the Animal Services Centre for:
- 10.6.1. Five (5) business days or longer after the owner has received notice or is deemed by Subsection 10.1 to have received notice when the name and address of the owner are known; and
- 10.6.2. Three (3) business days or longer if the name and address of the owner is not known.
- 10.7. No impounded dog shall be sold or donated by the Town to any individual or group that is not considered an Approved Foster Organisation.
- 10.8. When the Town decides to euthanise a dog the owner shall pay to the Town a fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council.

## OFFENCES AND PENALTIES

### 11. VIOLATION TICKETS

- 11.1. Where any Bylaw Enforcement Officer or Peace Officer believes that any person has committed a breach of any provision of this bylaw they may serve upon such persons a ticket or may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R. S. A. 2000, Chapter P-34.
- 11.2. A notice or ticket shall be deemed to have been sufficiently served;
- 11.2.1. if served personally on the accused; or
- 11.2.2. if served by registered mail; or
- 11.2.3. if left at the accused usual place of abode with a person who appears to be at least eighteen (18) years of age; or
- 11.2.4. where the accused is an association partnership, corporation or registered kennel, if served by registered mail or if left with a person who appears to be at least eighteen (18) years of age and who is an employee or officer of the association, partnership, corporation or registered kennel
- 11.3. Upon production of any such notice or ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified in the Services, Fees, Rates and Charges Bylaw as passed by Council, to a person authorized by the Town to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this Section, such payment shall be accepted in lieu of prosecution.
- 11.4. If the person upon whom any such notice or ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
- 11.5. Nothing in this section shall:
- 11.5.1. prevent any person from exercising their right to defend any charge of committing a breach or this Bylaw
- 11.5.2. prevent any person from laying an Information and Complaint against any other persons for committing a breach of any of the provisions of this Bylaw
- 11.5.3. prevent any Bylaw Enforcement Officer or Peace Officer from laying an Information and Complaint against any other person or owner for an alleged breach of this bylaw whether or not such other person or owner has made a payment under this Bylaw
- 11.6. Where any person has made a payment to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.
- 11.7. Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has contravened any provision of this Bylaw, they may commence proceedings

- by issuing summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R.S. A. 2000, Chapter P-34.
- 11.8. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council in respect of that provision.
- 11.9. Notwithstanding Subsection 10.8:
- 11.9.1. where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in the Services, Fees, Rates and Charges Bylaw in respect of that provision, and
- 11.9.2. where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in the Services, Fees, Rates and Charges Bylaw, in respect of that provision.
- 11.10. 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 he is liable under the provisions of this Bylaw.

## 12. VIOLATION PENALTIES

- 12.1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- 12.2. The minimum fines on summary conviction in respect to a contravention of this Bylaw with respect to aggressive dogs shall be the same amounts as shown in the Services, Fees, Rates and Charges Bylaw regarding Section 2.2.1.
- 12.3. 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 they are liable under the provisions of this Bylaw.

## 13. LEGALITIES

- 13.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Council that if any provisions of this Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

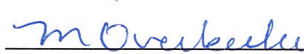
## 14. REPEAL, AMENDMENT AND EFFECTIVE DATE

- 14.1. Bylaw No. 650-87, 690-92 and amendments thereto are hereby repealed.
- 14.2. This Bylaw shall take full force and effect upon the date of the passing of the third and final reading.

READ A FIRST TIME THIS 9 DAY OF DECEMBER, A.D. 2019.  
READ A SECOND TIME THIS 13 DAY OF JANUARY, A.D. 2020.  
READ A THIRD TIME THIS 13 DAY OF JANUARY, A.D. 2020.

TOWN OF PICTURE BUTTE

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO



### **SCHEDULE "A"**

You are hereby notified that a dog bearing identification showing your name and address, was impounded on \_\_\_\_\_, A. D. \_\_\_\_\_ pursuant to the provisions of Bylaw No. 885-19 of the Town, and that, unless the said dog is claimed and all impoundment charges are paid, on or before \_\_\_\_\_ A. D. \_\_\_\_\_, the said dog will be sold or euthanised pursuant to the said Bylaw.

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**SCHEDULE "B"**  
**AFFIDAVIT OF NON-RESIDENT**

CANADA	}	I, _____
	}	
PROVINCE OF ALBERTA	}	of the _____ of
	}	_____
	}	
TO WIT:	}	in the Province of Alberta,
	}	_____
	}	(Occupation)

MAKE OATH AND SAY:

- 1. THAT I am not a resident of the Town of Picture Butte.
- 2. THAT I reside at:

\_\_\_\_\_

(mailing address)

SWORN AT _____ of _____	}
	}
In the Province of Alberta, this _____	}
	}
day of _____	}
	}
	}
A. D. _____, BEFORE ME	}
	}
	}

\_\_\_\_\_  
A COMMISSIONER FOR OATHS IN AND  
FOR THE PROVINCE OF ALBERTA

*Ch*  
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**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 888-19**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$35,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$35,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
6. This Bylaw comes into force October 15<sup>th</sup>, 2019 and rescinds Bylaw 876-18.



MOVED by Councillor Parworth to approve FIRST reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

MOVED by Councillor Feist to approve SECOND reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

MOVED by Councillor de Kok that permission be granted to move to THIRD AND FINAL reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019  
CARRIED UNANIMOUSLY

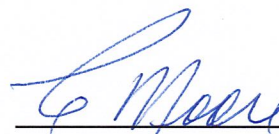
MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

### Certificate

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 15<sup>th</sup> day of October, 2019 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 15<sup>th</sup> day of October, 2019.

Seal



Cathy Moore  
Chief Elected Official



Keith Davis  
Chief Administrative Officer

## TOWN OF PICTURE BUTTE

### BYLAW NO. 889-19

WHEREAS, the Council of the Town of Picture Butte is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of November 19, 2018), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

AND WHEREAS, it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said *Emergency Management Act* and pursuant to the requirements of the *Local Authority Emergency Management Regulation*; and

AND WHEREAS, the Town of Picture Butte has prepared a Municipal Emergency Management Plan which will be regularly reviewed, revised, and approved when necessary;

NOW, THEREFORE, the Council of the Town of Picture Butte, duly assembled, hereby enacts:

#### CITATION

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.

#### PURPOSE

2. The purposes of this Bylaw are:
  - a) To provide for the direction and control of the Town's emergency responses, and the preparation and approval of the Municipal Emergency Management Plan and related plans and programs,
  - b) To establish and appoint an emergency advisory committee and provide for the payment of expenses of the emergency advisory committee, and
  - c) To establish an emergency management agency to act as Council's agent in exercising Council's powers and duties under the *Emergency Management Act*,

#### DEFINITIONS

3. In this Bylaw,
  - a) "Act" means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000
  - b) "Agency" means the Picture Butte Emergency Management Agency appointed under this Bylaw
  - c) "Chief Administrative Officer" means the Chief Administrative Officer of the Town as defined by the Municipal Government Act, RSA 2000 Chapter M-26
  - d) "Council" means the duly assembled Council of the Town of Picture Butte

- e) "Committee" means the Picture Butte Emergency Advisory Committee established under this Bylaw
- f) "Director" means the person appointed as Director of Emergency Management under this Bylaw;
- g) "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;
- h) "Emergency Advisory Committee" means the committee established under this Bylaw;
- i) "Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- j) "Minister" means the Minister charged with administration of the Act;
- k) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
- l) "Municipal Emergency Plan" means the emergency plan prepared by the Town to co-ordinate response to an emergency or disaster.
- m) "State of Local Emergency" or "SOLE" means a state of local emergency declared in accordance with the Act and this Bylaw.
- n) "Town" means the municipal corporation of the Town of Picture Butte and/or the area within its geographic boundaries

## EMERGENCY ADVISORY COMMITTEE

### Establishment

4. There is hereby established the Picture Butte Emergency Advisory Committee.

### Membership, Quorum and Meetings

5. The Committee shall consist of:
  - a) the Mayor;
  - b) the Deputy Mayor;
  - c) the Chief Administrative Officer;
  - d) the Director of Emergency Services;
  - e) the Director of Operations;
  - f) the Fire Chief or designate; and
  - g) one public member-at-large
6. The public member-at-large will serve a one-year term established at the annual organizational meeting of Council.
7. Quorum of the Committee shall be established with the majority of quorum members in attendance.
8. The Chair of the Committee shall be the Mayor or in their absence the Deputy Mayor.
9. The Committee will meet at least once annually.
10. The Committee may meet from time to time at the request of the Mayor or Director.

11. All members of the Committee will be entitled to the payment of reasonable expenses in accordance with Council policy.

#### Functions and Duties

12. The Committee will:
- a) Provide guidance and direction to the Agency;
  - b) Advise Council on the development and status of emergency plans and programs;
  - c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Picture Butte;
  - d) approve the Town of Picture Butte's emergency plans and programs; and
  - e) review the status of the Municipal Emergency Management Program and related plans and programs.
  - f) Perform any other functions and duties as required by this bylaw.
  - g) During an Emergency or Disaster, the Committee shall:
    - i) Receive updates regarding the Emergency or Disaster from the Agency;
    - ii) Perform any additional powers or duties as described in the Act that have been assigned to it by Council;

#### STATE OF LOCAL EMERGENCY

##### Declaration of a State of Local Emergency

13. The power to declare or cancel a SOLE, in the Town, in accordance with the Act is hereby delegated to the Mayor.
- a) In the absence of the Mayor the power to declare a SOLE is delegated to any member of Council in the following hierarchy:
    - i) Deputy Mayor
    - ii) Any member of Council
14. When a SOLE is declared, the person making the declaration shall:
- a) ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
  - b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
  - c) forward a copy of the declaration to the Minister forthwith.
15. Upon declaration of a SOLE and for the duration of the SOLE, the Director, may, in accordance with Section 24 of the Act, exercise and perform all of the powers and duties given to a local authority by the Act.
16. A declaration of a SOLE is considered terminated and ceases to be of any force or effect when:
- a) a resolution is passed under Section 12;
  - b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;

- c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
  - d) the Minister cancels the state of local emergency.
17. When a declaration of a SOLE has been terminated, the local authority who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

## EMERGENCY MANAGEMENT AGENCY

### Establishment

18. There is hereby established the Picture Butte Municipal Emergency Management Agency.

### Membership and Participation

19. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- a) the Director;
  - b) The Chief Administrative Officer;
  - c) The Deputy Fire Chief or designate;
  - d) Picture Butte Emergency Medical Services representative;
  - e) the Director of Operations;
  - f) the Director of Corporate Services;
  - g) The RCMP detachment commander or designate;
  - h) the Social Services Manager or designate.

### Functions and Duties

20. The Agency will:
- a) be responsible for the administration of the Town's emergency management program;
  - b) act as an agent of Council to carry out all of the powers and duties of Council under the Act, except for the powers and duties delegated by this Bylaw to the Committee;
  - c) provide advice to the Committee as required;
  - d) review all emergency management plans and programs for the Town on an annual basis;
  - e) report to the Committee on all Agency activities and provide an update in the review on the plans on an annual basis;
  - f) use a command, control, and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
  - g) cause the municipal emergency management plan and programs to be activated when required and;
  - h) perform any other functions and duties as required by this Bylaw or Council.

## DIRECTOR OF EMERGENCY MANAGEMENT

21. The Director of Emergency Services for the Town shall be the Director of Emergency Management.
  - a) The Chief Administrative Officer for the Town shall be one of the Deputy Directors of Emergency Management.
  - b) Additional Deputy Directors of Emergency Management shall be appointed as necessary by the Director.
22. The Director of Emergency Management shall:
  - a) be the chair of the Agency;
  - b) prepare and co-ordinate the Municipal Emergency Management Program and related plans for the Town of Picture Butte;
  - c) act as the Incident Commander, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
  - d) authorize and co-ordinate all emergency services and other resources required during an emergency.
  - e) Perform any other functions and duties as prescribed by Council

## GENERAL PROVISIONS

23. Unless otherwise noted, the Town's Procedural Bylaw, as amended or replaced, shall apply to all meetings of the Committee. If there is any conflict between a provision of the Procedural Bylaw or this bylaw, the bylaw will prevail.
24. Bylaw No. 840-15 Municipal Emergency Management Bylaw is hereby rescinded.
25. This Bylaw comes into force on the day it is passed.

Read a first time this 16<sup>th</sup> day of December, A.D. 2019.

Read a second time this 16<sup>th</sup> day of December, A.D., 2019.

Read a third time and finally passed this 16<sup>th</sup> day of December, A.D., 2019.

**TOWN OF PICTURE BUTTE**

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**Mayor**

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**Chief Administrative Officer**

**TOWN OF PICTURE BUTTE**

**BYLAW NO. 890-20**

A BYLAW OF THE TOWN OF PICTURE BUTTE to rescind the attached bylaw, Bylaw number 874-18.

WHEREAS Council passed a motion at their Regular Council Meeting held on December 16, 2019, directing Administration to draft a rescinding bylaw for Bylaw number 874-18;

NOW THEREFORE, pursuant to Section 63(2) (a) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

**CITATION**

1. This bylaw may be cited as the Rescinding Bylaw for Bylaw No. 874-18.

**PURPOSE**

2. This bylaw rescinds Bylaw No. 874-18 Maple Estate Bylaw.

**GENERAL PROVISIONS**

3. This Bylaw shall come into effect on the final day of passing thereof.

Read a first time this 13<sup>th</sup> day of January, 2020.

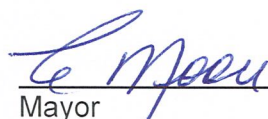
CARRIED

Read a second time this 10<sup>th</sup> day of February, 2020.

CARRIED

Read a third time and finally passed this 10<sup>th</sup> day of February, 2020.

CARRIED

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer



TOWN OF PICTURE BUTTE  
BYLAW NO. 891-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE DESIGNATED OFFICER POSITION OF ASSESSOR

WHEREAS, Parts 9 through 12 of the Municipal Government Act, R.S.A. 2000, c. M-26, outline the duties and responsibilities of an assessor;

AND WHEREAS provisions of the Qualifications of Assessor Regulation, AR 233/2005, require that an assessor meet certain minimum qualifications;

AND WHEREAS Section 210 of the Municipal Government Act provides that a municipality may create a designated officer position to carry out certain duties and responsibilities;

AND WHEREAS Section 284 of the Municipal Government Act requires that an assessor be appointed as a designated officer;

NOW THEREFORE, the Council of the Town of Picture Butte, in the province of Alberta, duly assembled, hereby enacts as follows:

This bylaw may be cited as the "Assessor Bylaw".

1. DEFINITIONS

In this bylaw, words shall have the same meanings as in the Municipal Government Act except as otherwise defined below:

- 1.1. "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
- 1.2. "Assessor" means the person appointed as assessor of the Town of Picture Butte;
- 1.3. "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Picture Butte;
- 1.4. "Council" means the municipal council of the Town of Picture Butte.
- 1.5. "Municipality" means the municipal corporation of the Town of Picture Butte.

2. APPOINTMENT AND DELEGATION

- 2.1. The position of designated officer for the purpose of assessment and taxation is established, and the individual appointed to that position will have the title "Assessor".
- 2.2. The Chief Administrative Officer will appoint a qualified individual to the position of Assessor and establish the terms and conditions of such appointment.
- 2.3. The Assessor is authorised to further delegate, and to authorize further delegations of any powers, duties, and functions delegated to him/her under this or any other bylaw or resolution, to any employee of the Municipality.

3. GENERAL POWERS

- 3.1. The Assessor will exercise the powers, duties and functions as delegated by this bylaw and in accordance with Parts 9,10,11 and 12 of the Act and any regulations.
- 3.2. This bylaw does not limit or restrict any other delegations to the Assessor by Council or the Chief Administrative Officer.

4. AUTHORITY AND RESPONSIBILITIES

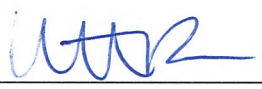
- 4.1. The Assessor is accountable to the Chief Administrative Officer for the exercise of all powers, duties and functions delegated to the Assessor.

- 4.2. The Assessor may:
- 4.2.1. Appoint an acting Assessor to act during absences of the Assessor;
  - 4.2.2. Establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the Assessor;
  - 4.2.3. Advise, inform and make recommendations to Council about Council policies, procedures, and programs as may be necessary or desirable to carry out the Assessor's powers, duties and functions; and
  - 4.2.4. Prepare and submit to Council such reports and recommendations as may be required by Council.
- 4.3. The Assessor shall:
- 4.3.1. Prepare assessments, assessment rolls, assessment notices and tax rolls for the purposes of the Act;
  - 4.3.2. Prepare supplementary assessments, supplementary assessment rolls, supplementary assessment notices and supplementary tax rolls for the purposes of the Act;
  - 4.3.3. Carry out the duties and responsibilities of an assessor under the Act.
5. REPEAL, AMENDMENT AND EFFECTIVE DATE
- 5.1. Bylaw No. 877-19 – Assessor Bylaw and amendments thereto are hereby repealed.
  - 5.2. This bylaw shall take full force and effect upon the date of the passing of third and final reading.

READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A SECOND TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A THIRD TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Cathy Moore  
Mayor

  
\_\_\_\_\_  
Keith Davis  
CAO

TOWN OF PICTURE BUTTE  
BYLAW NO. 893-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal  
Council must pass a bylaw to establish the position of Chief Administrative Officer.

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly  
assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Chief Administrative Officer Bylaw".

2. DEFINITIONS

- 2.1. "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;  
2.2. "Chief Administrative Officer" means the person appointed as the chief administrative  
officer of the Town of Picture Butte.  
2.3. "Council" means the municipal council of the Town of Picture Butte; and

3. APPOINTMENT AND DELEGATION

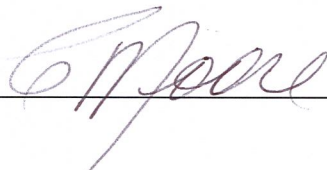
- 3.1. The position of Chief Administrative is established, and the individual appointed to that  
position will have the title "chief administrative officer".  
3.2. Council will by resolution appoint an individual to the position of Chief Administrative  
Officer.  
3.3. Council will establish the terms and conditions of the Chief Administrative Officer's  
employment.  
3.4. The position of Chief Administrative Officer has responsibilities, authority and duties  
pursuant to the following Sections of the Act:  
3.4.1. Section 69;  
3.4.2. Section 207;  
3.4.3. Section 208;  
3.4.4. Section 209; and  
3.4.5. Section 213.

4. COMING INTO EFFECT

- 4.1. Bylaw No. 769-00 Chief Administrative Officer is hereby rescinded when this bylaw shall  
come into force.  
4.2. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A SECOND TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A THIRD TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.

TOWN OF PICTURE BUTTE

  
\_\_\_\_\_  
Cathy Moore  
Mayor

  
\_\_\_\_\_  
Keith Davis  
CAO

TOWN OF PICTURE BUTTE  
BYLAW NO. 894-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE REPORTING REQUIREMENTS FOR DESIGNATED MANUFACTURED HOME COMMUNITIES.

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to pass bylaws respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment;

AND WHEREAS section 436.24(1) of the Municipal Government Act requires the owner of a manufactured home community to provide monthly reports to the chief administrative officer or a designated officer of the municipality reading the following:

- 1) the ownership of all designated manufactured homes in the manufactured home community, including the serial numbers of the designated manufactured homes; and
- 2) the movement of all designated manufactured homes in and out of the manufactured home community;

AND WHEREAS section 436.24(2) of the Municipal Government Act provides that a Municipal Council may pass a bylaw requiring the owner of the manufactured home community to provide the reports required under section 436.24(1) to the municipality on the dates specified by the municipality;

AND WHEREAS Council deems it unnecessary for the manufactured home community owner to provide monthly reports mentioned above;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Manufactured Home Community Reporting bylaw".

2. GENERAL PROVISIONS:

- 2.1. The owner of the manufactured home community must provide the Chief Administrative Officer, or their designate, a report:
  - 2.1.1. On or before the following calendar days:
    1. 1<sup>st</sup> March;
    2. 1<sup>st</sup> May;
    3. 1<sup>st</sup> December.
  - 2.1.2. Regarding:
    1. The ownership and owner's mailing address for each designated manufactured home in the manufactured home community;
    2. The manufactured home serial number, make, model and year of each designated manufactured home in the manufactured home community; and
  - 2.1.3. Whenever there is movement in and out of the manufactured home community or demolition of a designated manufactured home; and
  - 2.1.4. Whenever the ownership or owner's mailing address for a designated manufactured home changes.
- 2.2. Reports to be submitted under Sections 2.1.3. and 2.1.4. only need to include the information as outlined in Section 2.1.2. for the designated manufactured home(s) in question.

3. OFFENCES AND PENALTIES

- 3.1. Any person who is in contravention of Section 2.1. is guilty of an offence and is subject to a penalty as outlined in Schedule A.
  - 3.1.1. Any information required under Section 2.1.2. that is incorrect or missing constitutes a contravention to this bylaw.
- 3.2. The specified penalty for any person who contravenes the same provision of this bylaw two or more times, within one twelve month period, is outlined in Schedule A.
- 3.3. Any person that fails to pay the penalty, as outlined in Schedule A., within 31 days from the date of the invoice, will have the penalty charged against the premises or property as a special assessment to be recovered in the same manner as other taxes and in accordance with Sections 553, 553.1 or 553.2 of the Municipal Government Act.

*WJ CM*

4. SEVERANCE

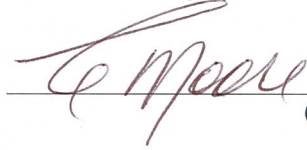
- 4.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.


5. COMING INTO EFFECT

- 5.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 9<sup>th</sup> DAY OF MARCH, A.D. 2020.  
READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF MARCH, A.D. 2020.  
READ A THIRD TIME THIS 23<sup>rd</sup> DAY OF MARCH, A.D. 2020.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO



SCHEDULE A

SPECIFIED PENALTIES

Section	Violation	Penalty	Second and Subsequent Offence
2.1.1.	Failure to provide manufactured home community report by the deadline	\$250.00	\$500.00
2.1.2.	False, inaccurate or missing information	\$250.00	\$500.00

**TOWN OF PICTURE BUTTE**

**BYLAW # 895-20**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2020 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 27, 2020; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2020 total **\$4,482,527.92**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,120,022.92**, and the balance of **\$1,362,505.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
2019 Under Levy	\$ 15,750.00	
Residential / Farmland	\$ 335,389.54	
Non-Residential	<u>\$ 87,650.59</u>	\$ 438,790.13
Opted Out School Boards:		
2019 Under Levy	\$ 2,675.00	
Residential / Farmland	\$ 43,460.46	
Non-Residential	<u>\$ 31,699.41</u>	<u>\$ 77,834.87</u>
Total School Requisitions		\$ 516,625.00
Green Acres Foundation (Seniors Requisition)		\$ 26,500.00
Designated Industrial Property (DIP Requisition)		<u>\$ 167.92</u>
<b>Total Requisitions for 2020</b>		<b>\$ 543,292.92</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	<b>Assessment</b>
Residential / Farm Land – Public	\$ 135,092,500.00
Residential / Farm Land – Separate	\$ 17,749,510.00
Non-Residential / Linear – Public	\$ 25,182,630.00
Non-Residential / Linear – Separate	\$ 6,176,510.00
Machinery and Equipment – Public	\$ 1,521,914.00
Machinery and Equipment – Separate	<u>\$ 314,766.00</u>
<b>Total Assessment for 2020</b>	<b>\$ 186,037,830.00</b>

160 CW



NOW THEREFORE under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,076,025.07	\$152,842,010.00	7.04010
Non-Residential and M&E	\$ 286,479.93	\$ 33,195,820.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 351,139.54	\$135,092,500.00	2.59925
Non-Residential	\$ 87,650.59	\$ 23,030,140.00	3.80591
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 46,135.46	\$ 17,749,510.00	2.59925
Non-Residential	\$ 31,699.41	\$ 8,329,000.00	3.80591
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 26,500.00	\$186,037,830.00	0.14244
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 167.92	\$ 2,209,440.00	0.07600
<b>GRAND TOTAL</b>	<b>\$ 1,905,797.92</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 27<sup>th</sup> day of April, 2020

Read a second time in Council assembled this 27<sup>th</sup> day of April, 2020

Council unanimously resolved to proceed to third reading this 27<sup>th</sup> day of April, 2020

Read a third time in Council assembled this 27<sup>th</sup> day of April, 2020

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 896-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 862-17 Tax Penalty Bylaw".

2. AMENDMENTS:

2.1. Bylaw No. 862-17 shall be amended as follows:

2.1.1. Delete Section 3.1 wording:

1. "A penalty of eighteen percent (18%) of the current tax levy shall be applied to any tax roll where the current tax levy remains unpaid after the tax payment due date shown on the Tax / Assessment Notice."

2.1.2. Replace Section 3.1 wording with:

1. "A penalty of one percent (1%) of the 2020 tax levy shall be applied to any tax roll where the 2020 tax levy remains unpaid after the tax payment due date shown on the Tax / Assessment Notice".

2.1.3. Add:

1. Section 3.1.1. as follows: "The penalty as outlined in Section 3.1. shall not apply for the 2020 non-residential education property tax levy."  
2. Section 3.1.2. as follows: "A penalty of one percent (1%) of the 2020 non-residential education property tax levy shall be applied to any tax roll where the 2020 non-residential education property tax levy remains unpaid after the 1<sup>st</sup> of October, 2020."

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 25<sup>TH</sup> DAY OF MAY, A.D. 2020  
READ A SECOND TIME THIS THE 25<sup>TH</sup> DAY OF MAY, A.D. 2020  
READ A THIRD TIME THIS THE 25<sup>TH</sup> DAY OF MAY, A.D. 2020

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 897-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 872-18 Utility Bylaw".

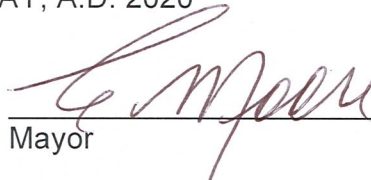
2. AMENDMENTS:

- 2.1. Bylaw No. 872-18 shall be amended as follows:
- 2.1.1. Schedule A: Water Rates:
    - 1. Bulk Water Truck Fill: Water per cubic metre: Change from \$4.32 to "Same rate as Lethbridge County."
  - 2.1.2. Schedule A: Water Rates:
    - 1. Water Meters: Meter: Change from "Installation: \$550" to "Meter: Cost including shipping."
    - 2. Add: "Meter Horn: Cost including shipping."
  - 2.1.3. Schedule A: Waste Management Rates: Garbage Collection:
    - 1. Change:
      - Residential: \$19.00 to \$19.95 per month
      - Multi-Unit Dwelling: \$13.75 to \$14.45
      - Mobile Home Park: \$16.15 to \$17.00
      - Commercial: \$25.50 to \$26.80
      - Mixed Commercial/Residential: \$25.50 to \$26.80
      - Institutional: \$104.25 to \$109.50

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020  
READ A SECOND TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020  
READ A THIRD TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020

  
\_\_\_\_\_  
Mayor

SEAL

  
\_\_\_\_\_  
Chief Administrative Officer

**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 898-20**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$35,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$35,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
6. This Bylaw comes into force June 08<sup>th</sup>, 2020 and rescinds Bylaw 888-19.



MOVED by Deputy Mayor Watson to approve FIRST reading of Bylaw #898-20 this 08<sup>th</sup> day of June, 2020.  
CARRIED

MOVED by Councillor Papworth to approve SECOND reading of Bylaw #898-20 this 08<sup>th</sup> day of June, 2020.  
CARRIED

MOVED by Councillor Feist that permission be granted to move to THIRD AND FINAL reading of Bylaw #898-20 this 08<sup>th</sup> day of June, 2020  
CARRIED UNANIMOUSLY

MOVED by Councillor de Kok to approve THIRD AND FINAL reading of Bylaw #898-20 this 08<sup>th</sup> day of June, 2020.  
CARRIED

**Certificate**

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 08<sup>th</sup> day of June, 2020 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 08<sup>th</sup> day of June, 2020.

Seal

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 899-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 851-16 Animal Regulations Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 851-16 shall be amended as follows:

2.1.1. DELETE: "5 Any unpaid expenses and costs incurred by the Town may be added to the Tax Roll and collected in a like manner as municipal taxes."

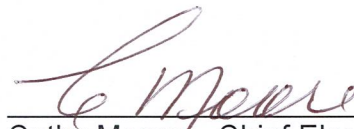
ADD: "5 Any unpaid expenses and cost incurred by the Town will be added to the Tax Roll if they remain unpaid 90 days after the fine has been issued."

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A SECOND TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A THIRD TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020

SEAL

  
Cathy Moore – Chief Elected Official

  
Keith Davis - Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 900-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 797-06 Unsightly Property and Ice and Snow removal from sidewalks Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 797-06 shall be amended as follows:

- 2.1.1. DELETE: "11 b) collect any unpaid costs or expenses incurred by the Town in accordance with the Act."

ADD: "11b) Council will add unpaid expenses and costs incurred by the Town for unsightly property to the tax roll if they remain unpaid 90 days after the invoice has been issued.

- 2.1.2. DELETE: "20. Council may add the unpaid expense and costs incurred by the Town for removing the snow and ice in respect of the parcel of land to the tax roll of the parcel of the land, in accordance with Section 553 (1) (g,1) of the Act.

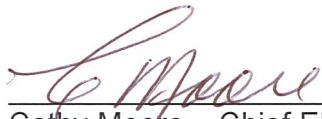
ADD: "20. Council will add unpaid expenses and costs incurred by the Town for removing the snow and ice in respect of the parcel of the land to the tax roll if they remain unpaid 90 days after the invoice has been issued."

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A SECOND TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A THIRD TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020

SEAL

  
Cathy Moore – Chief Elected Official

  
Keith Davis - Chief Administrative Officer



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 901-20**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to allow for and regulate fascia signs with electronic display in commercial and industrial land use districts, and expand the kinds of signs permitted under the category Type 1 to include fascia, projecting, portable and temporary signs.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. **The Land Use Bylaw is amended by deleting all references to wall signs.**
2. **Part 2, Land Use Districts, Map and Regulations, Residential – R1, Discretionary Uses, Type A, is amended by deleting the following text:**

Signs Type 2 fascia (in accordance with Part 5).

3. **Part 2, Land Use Districts, Map and Regulations, Manufactured Home – R2, Discretionary Uses, Type A, is amended by deleting the following text:**

Signs Type 2 fascia (in accordance with Part 5).

4. **Part 5, Sign Regulations, Section 1, Administration, subsection (3) is amended by adding or rewording the following underlined text:**

- Type 1 signs – A-board, directional, fascia, projecting (canopy, roof, overhanging, shingle), portable, electronic display or animated/changing copy, political/election, real estate, garage sale, sidewalk, temporary, window, exit/entrance signs.
- Type 2 signs – Balloon, freestanding, mural, all other not included as Type 1.

5. **Part 5, Sign Regulations, Section 3, Prohibited Signs, subsection (e), is amended by adding or rewording the following underlined text:**

(3) The following signs are prohibited:

- (e) any sign containing electronic display, animation, changeable content or movement shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or facility, school, or any level of government;

6. **Part 5, Sign Regulations, Section 4, Application Requirements, subsection (b), is amended by adding or rewording the following underlined text:**

(b) include a description of the proposal and a plan drawn to a suitable scale and photographs, if available, illustrating:

- (i) the location of all existing and proposed sign(s);
- (ii) the size, height, and other dimensions of the proposed sign(s), including any supporting structures and if the application is for a sign with Electronic Display the percentage of the façade that will be covered by the sign;
- (iii) the location of the property boundaries of the parcel upon which the proposed sign(s) are to be located;
- (iv) details with respect to sign content (i.e. wording/lettering, text, message, graphics, etc.);
- (v) the materials and finish proposed for the sign(s);
- (vi) type of electronic display, illumination, animation, and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval; and
- (vii) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.

7. **Part 5, Sign Regulations, Section 7, Off-Premises Signs, subsection (2), is amended by adding or rewording the following underlined text:**

(2) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Picture Butte or that are members of the Picture Butte and District Chamber of Commerce, charitable organizations or service clubs.

8. **Part 5, Sign Regulations, Section 13, Freestanding Signs, subsection (8), is amended by adding or rewording the following underlined text:**

(2) Billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte or are members of the Picture Butte and District Chamber of Commerce, are not permitted.

9. **Part 5, Sign Regulations, Section 15, Digital/Animated/Changeable Content Signs is amended by adding or rewording the following underlined text:**

15. ELECTRONIC DISPLAY SIGNS

(1) No more than one digital sign may be permitted on a single parcel.

(2) Any sign containing Electronic Display shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or organization, school, or the municipality and complies with all other sign regulations.

(3) Electronic Display content shall only be allowed on fascia signs in compliance with this Bylaw.

- (4) The sign area of a sign with Electronic Display shall not exceed 10% of the size of the total building façade on which the sign will be installed, to a maximum of 4.6 m<sup>2</sup> (50 sq. ft.).
- (5) Signs with Electronic Display must not be on a building façade that directly faces a residential land use district.
- (6) Signs with Electronic Display may include on-premises advertising and/or off-premises advertising for businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte or are members of the Picture Butte and District Chamber of Commerce only, in compliance with Section 7(2) of this Part 5 of this Bylaw.
- (7) Electronic Display content must remain in place unchanged for a minimum of 10.0 seconds before switching to new content.
- (8) The maximum transition time between each different Electronic Display on a sign is 0.25 seconds.
- (9) The transition between each Electronic Display must not involve any visible effects, including but not limited to action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (10) Electronic Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (11) A sign featuring Electronic Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic Display feature is functioning, as measured from the sign face at its maximum brightness:
- a) A maximum of 7,500 nits from sunrise to sunset, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
- b) A maximum of 500 nits from sunset to sunrise, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
- c) the light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.
- (12) If a Development Authority determines that the brightness or light level of an Electronic Display exceeds the limits set out in subsection (11) of this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.
- (13) If any component of an Electronic Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic Display is turned off until all components are fixed and operating in compliance.

(14) The Development Permit holder for a sign featuring an Electronic Display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.

(15) Any sign that is illuminated, animated, or a digital and electronic message board (changeable copy) located within 304.8 metres (1,000 ft.) of a provincial highway right-of-way or within 800 metres (2,625 ft.) of the centreline of a highway and a public road intersection must be approved by Alberta Transportation.

10. Part 5, Sign Regulations, Section 18, Definitions, is amended by adding the following, in alphabetical order:

**ELECTRONIC DISPLAY** means sign copy displayed using electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology. Electronic display signs are also commonly called digital signs.

11. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.

12. Final formatting and consolidation shall take place following the passage of the bylaw.

13. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 26<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 902-20

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE RULES GOVERNING THE PROCEEDINGS AND THE REGULAR BUSINESS OF COUNCIL AND COUNCIL MEETINGS

**WHEREAS** Section 145 (b) of the Municipal Government Act, RSA 2000, Chapter M-26, provides that Council shall by bylaw make rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees, and for the transaction of its business; and

**WHEREAS** the Municipal Government Act provides that Council may establish committees to consider matters referred to them by Council, may appoint the members of such committees and may require reports of the findings or recommendations of the committees;

**NOW THEREFORE**, the Council of the Town of Picture Butte enacts as follows:

From the date of the passing of this bylaw, the following rules and regulations only shall be observed for the order and dispatch of business in Council thereof and all Motions, rules or regulations existing and inconsistent with this bylaw are hereby repealed.

This bylaw shall not be repealed, amended or suspended, except so far as the terms hereof permit, unless it is repealed, amended or suspended:

- a. By a bylaw unanimously passed at a regular or special meeting of the Council at which all the members thereof are present, or
- b. By a bylaw passed at a regular meeting of Council, pursuant to a notice in writing given and openly announced at the next preceding meeting of the Council and setting out the terms or the substantial effect of the proposed bylaw.

## **1.0     SHORT TITLE**

1.1. This bylaw is called "**The Procedural Bylaw**".

## **2.0     DEFINITIONS**

2.1. In this bylaw:

1. "**Administration**" means the employees of the municipality.
2. "**Business Day**" means a day on which the municipal offices are open for business.
3. "**Chair**" means the Mayor, Deputy Mayor or presiding officer who presides over Council Meetings, Council Committee meetings or Committee of Council meetings.
4. "**CAO**" means the Chief Administrative Officer for the Municipality or his/her designate.
5. "**Chief Elected Official**" (CEO) means the Mayor;
6. "**Closed Session**" means the part of a meeting closed to the public or municipal employees by Motion of Council, for the purpose of discussing a matter within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
7. "**Committee of Council**" means a committee, board or other body established by Council
8. "**Committee of the Whole**" means a committee comprised of all Councillors which conducts itself as a Committee of Council, for the purpose of providing information to Council; functioning informally and allowing for freedom of debate but where decisions are referred to a Council Meeting.
9. "**Council**" means the duly elected Council of Picture Butte.
10. "**Council Committee**" is a Committee, Board, Commission, Authority or other body to which Council may appoint members.
11. "**Council Meeting**" means duly constituted regular or special open meetings of Council where bylaws and resolutions are formally ratified.

12. **“Councillor”** means a member of Council duly elected pursuant to the Local Authorities Election Act and continuing to hold office.
13. **“Delegation”** means any person that has permission of Council to appear before Council at a Council Meeting or a Committee of Council to provide information and views about a subject pertinent to Council
14. **“Deputy Mayor”** means the Councillor who is elected by Council pursuant to Section 152 of the Municipal Government Act, to act as Mayor in the absence or incapacity of the Mayor.
15. **“Emergent Items”** shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention.
16. **“Freedom of Information and Protection of Privacy Act”** or “FOIP” means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted therefore.
17. **“Municipal Government Act”** means the Municipal Government Act RSA 2000, chapter M-26 of the Statutes of Alberta as amended or legislation substituted therefore.
18. **“Motion”** means a standard terminology used by Council to describe the original statement whereby business is brought before a meeting, and may also mean resolutions.
19. **“Notice of Motion”** is the means by which a Member of Council brings business before Council.
20. **“Out of Order”** means to act outside the scope of this Procedural Bylaw in any Council Meeting or Committee of Council meeting
21. **“Organizational Meeting”** means a meeting held not later than two (2) weeks after the 3<sup>rd</sup> Monday in October for the purpose of:
  1. Taking the Oath of office after a general municipal election,
  2. Electing a Deputy Mayor annually
  3. Appointing members of Council and the public to Council Committees and Committees of Council as required
22. **“Peace Officer”** means a peace officer as defined by the Peace Officer Act, and for the purposes of this Bylaw shall also include a police officer as defined by the Police Act
23. **“Point of Order”** means a demand that the Chair enforce the rules of procedures.
24. **“Point of Privilege”** means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual Councillors and includes the
  1. Organization and existence of Council,
  2. Comfort of members,
  3. Conduct of employees or members of the public in attendance at the meeting.
25. **“Public Hearing”** is a meeting:
  1. To hear matters pursuant to the Municipal Government Act; or
  2. Other matters which Council directs be considered at a Public Hearing.
26. **“Quorum”** means the majority of all, or the majority of the remaining, Councillors that comprise the Council.
27. **“Special Council Meeting”** is a meeting held under the provisions of Section 194 of the Municipal Government Act.
28. **“Special Motion”** means a Motion or resolution passed by two-thirds majority of all Members.
29. **“Table”** means a Motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter.
30. **“Town”** means the Town of Picture Butte, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Town.

### **3.0 APPLICATION**

- 3.1. This bylaw shall be observed and shall be the rules and regulation for the order and conduct of business in all Council Meetings, Organizational Meetings, Special Council Meetings, Committee of the Whole meetings and all Committee of Council meetings.

### **4.0 STRUCTURE OF COUNCIL**

- 4.1. Town Council shall consist of five (5) elected officials
- 4.2. All Councillors shall be elected by a vote of the electors of the whole Town.
- 4.3. The Chief Elected Official shall be elected by a vote of the electors of the whole Town.
- 4.4. The Chief Elected Official of the Town shall be designated the title 'Mayor' and addressed as Mayor (last name).
- 4.5. The Deputy Mayor shall be addressed as Deputy Mayor (last name).
- 4.6. Councillors of the Town other than the Chief Elected Official, and the Deputy Mayor shall be addressed as Councillor (last name).
- 4.7. The Mayor shall preside when in attendance at a meeting of Council; however the Deputy Mayor shall preside over the Committee of the Whole.
- 4.8. The Mayor may, at the discretion of the Mayor, be a member of all Committees of Council and all bodies to which Council has the right to appoint members under the Municipal Government Act.
- 4.9. Seating of Councillors shall be as determined by the Mayor at the yearly Organizational Meeting.

### **5.0 COUNCIL CONDUCT**

#### Rules of Order

- 5.1. Any employee, or member of the public who refuses to leave Council chambers upon the order of the Mayor may be removed by a Peace Officer.
- 5.2. At no time is it intended that undue strictness of adherence to the rules of order intimidate members or limit full participation.
- 5.3. The first person to raise a hand and address the Chair when the person speaking has finished, and to be recognized by the Chair, has the floor. Speaking while another is still speaking is out of order, except to make a Point of Order or to make a Point of Privilege.
- 5.4. No member of Council shall have the power to direct or interfere with the performance of any work for the corporation, and the officer in charge shall be subject only to his superior officer, or in the case of the CAO who shall report to Council.
- 5.5. Anyone with a pecuniary interest as defined in Section 169 of the Municipal Government Act shall declare that interest, and shall not participate in any debate or decision concerning the matter. Such pecuniary interest shall be recorded in the minutes.

#### Making Motions

- 5.6. Debate begins when a member of Council states the Motion and asks for discussion on the Motion. If no one initiates discussion, the Chair calls for a vote.
- 5.7. The Chair will determine if a member can speak twice to the same issue prior to everyone who wishes to speak having the opportunity.
- 5.8. No member of Council shall normally speak more than three minutes on any Motion or amendment to a Motion.
- 5.9. Every Motion or resolution shall be stated or read by the mover.
- 5.10. After a Motion has been moved and has been stated or read, it shall be deemed to be in possession of Council, and may only be withdrawn by majority consent of the members of Council present and will not be recorded in the minutes.



- 5.11. All remarks must be directed to the Chair, and must be courteous.
- 5.12. The mover of a Motion may speak and vote for or against the Motion.
- 5.13. A Notice of Motion may be given (and shall be given verbally and in writing to all members present) at any Council Meeting, specifying the entire content of the Motion to be considered, but may not be dealt with at that Council Meeting.
- 5.14. A Motion made in the negative shall be ruled Out of Order.
- 5.15. The following Motions are not debatable by Council:
  - 1. Adjournment
  - 2. To take a recess
  - 3. Point of Privilege
  - 4. Point of Order
  - 5. To limit debate on a matter before Council
  - 6. To Table the matter

#### Voting on Motions

- 5.16. When debate on a Motion is closed, the Chair shall put the Motion to a vote, and this decision is final unless overruled by a majority vote of the members present at the meeting.
- 5.17. Once the Motion has been put to a vote, no member shall debate further on the Motion or speak any words except to request that the Motion be read aloud.
- 5.18. When a Motion is put to a vote, no member shall leave the Council chambers until the vote is taken.
- 5.19. Any bylaw or Motion upon which there is an equality of votes shall be deemed to be defeated.
- 5.20. The outcome of any vote on any matter shall be recorded in the meeting minutes.
- 5.21. Before a vote is taken by Council, a Councillor may request that the vote be recorded. When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained.
- 5.22. A Councillor attending a Council Meeting must vote on a matter put to a vote at the meeting unless the Councillor is required or permitted to abstain from voting under this or any other enactment, pursuant to sections 182 through 184 of the Municipal Government Act.
- 5.23. The CAO or designate shall record each abstention and the reasons for the abstention in the minutes of the meeting.

#### Calling a Councillor to Order

- 5.24. The Mayor may call to order any Councillor who is Out of Order.
- 5.25. When a Councillor has been called to order but persists in breaching the order of Council, the Mayor may name the Councillor and declare the offence.
- 5.26. The CAO shall note any offences in the minutes.
- 5.27. A Councillor who is called to order or named may immediately thereafter challenge the ruling of the Mayor and state the reasons according to this bylaw.
- 5.28. When there is a challenge to the ruling of the Mayor, all further debate shall cease until the challenge has been dealt with by Council.
- 5.29. If a Motion of Council supporting the Mayor's ruling passes, the Councillor shall abide by the motion of Council.

## 6.0 COUNCIL MEETINGS

### Agendas

- 6.1. The CAO or designate shall be responsible for preparing meeting agendas, including input from the Mayor, Administration, and previous meetings.
- 6.2. Meeting agendas shall be made available the Friday preceding the Council Meeting.
- 6.3. Only business listed in the agenda shall be undertaken at a meeting, unless a Motion to amend the agenda is passed.
- 6.4. Notwithstanding section 6.3, Council may, by a unanimous vote, allow those items which are deemed Emergent Items or requiring immediate attention.
- 6.5. The order of business for Regular Council Meetings shall be as follows:
  1. Call to Order
  2. Adoption of the Agenda
  3. Adoption of the Minutes
  4. Public Hearing
  5. Delegations
  6. Request for Decisions
  7. Mayor's Report
  8. Council's Report
  9. Administration's Report
  10. Correspondence
  11. Information Items
  12. Closed Session
  13. Adjournment

### Public Hearings

- 6.6. A Public Hearing must be held when required by the Municipal Government Act.
- 6.7. Public Hearings, when required, shall be held
  1. before second reading of the bylaw, or
  2. before Council votes on the Motion.
- 6.8. The format for a public hearing shall be:
  1. State the purpose of the Public Hearing,
  2. Ask for those present in favour to speak to the matter,
  3. Ask for any written comments in favour,
  4. Ask for those present who are opposed to speak to the matter,
  5. Ask for any written comments opposed,
  6. Close the Public Hearing.
- 6.9. All those who wish to speak to a matter (in favour or opposed) may only speak once and shall be limited to five (5) minutes.

### Delegations

- 6.10. Delegations may appear before Council at a regular Council Meeting to present issues of concern.
- 6.11. Delegations wishing to appear before Council must advise the CAO, or designate, in writing no later than noon on the Friday prior to the meeting.
- 6.12. Delegations must provide a copy of their presentation related to the issue or concern at the time of submission for the agenda and only speak to the matter in question.
- 6.13. Any person or Delegation addressing Council shall state name(s), address(es) and the purpose of the meeting.
- 6.14. Delegations will be limited to a ten (10) minute presentation to Council.
- 6.15. Any questions or clarifications which individual Councillors may have from the Delegation should be requested through the Chair.
- 6.16. Delegations shall not address Council on the same subject matter more than once every six (6) months. At Council's discretion, Council may request an individual or group come before Council as a Delegation at any time.

- 6.17. Once Council has approved a Motion, the CAO or designate will provide a written response to the Delegation.

#### Letters and Petitions

- 6.18. Notwithstanding the provisions of the Municipal Government Act respecting petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, petition, or other communication shall be addressed to the Mayor or Town Council. Such letter, petition or other communication shall:
1. Be printed, typewritten or legibly written;
  2. Clearly define the matter at issue which you would like Council to consider to resolve.
  3. Indicate if you wish to meet with Council as a Delegation.
  4. In the case of a letter or communication:
    1. Be signed with the correct name of the writer, and
    2. contain the correct mailing address of the writer
  5. In the case of a petition:
    1. Be signed by at least 10% of the population
    2. Meet all legislative requirements of Sec. 220-226 of the Municipal Government Act.
  6. Be delivered or mailed to the office of the Chief Administrative Officer so it arrives no later than noon on the Friday before the Regular Council Meeting at which it is to be presented.
- 6.19. Where a matter has been considered by Council and dealt with in any final form, no letter, petition, Delegation or other communication on substantively the same matter shall be considered by Council until there has been a lapse of at least six (6) months from the date Council previously disposed of the matter.
- 6.20. Notwithstanding section 6.29, Council, by approving a Special Motion, may again consider a matter at a time earlier than six (6) months.

#### In Camera Closed Session

- 6.21. All agenda items or reasons for going into a Closed Session must meet the criteria established within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
- 6.22. In accordance with the Municipal Government Act and Section 153 and the Freedom of Information and Protection of Privacy Act, all members of Council are required to keep in confidence all matters discussed in a Closed Session until the item is discussed at a meeting held in public.
- 6.23. A Motion is required to go in a Closed Session and leave a Closed Session as part of a Council Meeting, and the times the meeting is closed and is open are recorded in the minutes.
- 6.24. Council shall not pass resolutions or Motions during a Closed session except to open the meeting to the public again.

#### Council Meeting Schedule

- 6.25. Regular Council Meetings shall be held as follows:
1. Council shall hold Council Meetings in Council Chambers on the second and fourth Monday of each month at 6:30 pm and adjourn no later than 10 pm.
  2. Council may extend the meeting beyond 10 pm by approving a Special Motion.
  3. The Committee of the Whole shall be held in Council Chambers on the third Monday of each month at 6:30 pm and adjourn no later than 10 pm.
  4. In the event of a Regular Council Meeting or Committee of the Whole falling on a day that is not a Business Day, the meeting shall be held the following Business Day.

5. All meetings of Council are open to the public except for any In Camera portion of the meeting.
6. All Council Meetings and Committees of Council meetings shall be held in accordance with the provisions of the Municipal Government Act.

## 7.0 OTHER MEETINGS OF COUNCIL

### Organizational Meeting

- 7.1. The Chief Administrative Officer shall fix the time and place for the Organizational Meeting as per Section 192(1) of the Municipal Government Act, with the business of the Meeting being limited to:
  1. The administration of the "Oath of Office" and the introduction of new Members, should the Meeting follow the general municipal election.
  2. Appoint a member of Council as Deputy Mayor by means of a secret ballot.
  3. The appointment of members of Council to act on committees, commissions, boards and other bodies on which Council is entitled to representation; and,
  4. Any such other business as required under the Municipal Government Act.
- 7.2. When Council has been elected at a general municipal election immediately preceding the meeting, the Chief Administrative Officer shall:
  1. Take the Chair;
  2. Call the Meeting to order;
  3. Preside over the Meeting until the oath prescribed by the Oaths of Office Act has been administered to the Mayor.
- 7.3. When the Meeting is not preceded by an election, the Mayor shall take the Chair and call the Meeting to order.
- 7.4. All appointments of Councillors to act on Committees of Council and Council Committees shall be done only by Motion at the organizational meeting or by Special Motion at any other Council Meeting.
- 7.5. The following are committees on which the Town has an obligation for representation, through legislation or legal agreement:

<b>Committee of the Whole</b>	All members of Council
<b>Municipal Planning Commission</b>	2 members of Council and 3 members at large
<b>The Town of Picture Butte Municipal Library Board</b>	1 member of Council and 7 members at large
<b>Chinook Arch Regional Library Board</b>	1 member of Council
<b>Community Futures Lethbridge Region Board</b>	1 member of Council
<b>Oldman River Regional Services Commission Board</b>	1 member of Council
<b>Barons-Eureka-Warner Family &amp; Community Support Services Board</b>	1 member of Council on odd numbered years.
<b>Lethbridge Regional Waste Management Services Commission</b>	2 members of Council
<b>Subdivision &amp; Development Appeal Board</b>	1 member of Council
<b>Oldman River Regional Services Commission Assessment Review Board</b>	1 member of Council as required by ORRSC
<b>Regional Bylaw Services Committee</b>	1 member of Council

- 7.6. Council may wish to consider additional Council Committees or Committees of Council where representation of Council would promote the welfare or interests of the municipality.

### Committee of the Whole

- 7.7. Whenever Council sits as Committee of the Whole, the Deputy Mayor shall be the Chair and maintain order in the Committee of the Whole.
- 7.8. The rules of order for the conduct of a Meeting of Council shall apply to a meeting of the Committee of the Whole, except:

1. No Motions or resolutions shall be accepted by the Chair, other than close or leave a Closed Session, and
2. Any member of Council may speak more than once to any discussion.

#### Special Council Meetings

- 7.9. Subject to the Conditions of Section 194 of the Municipal Government Act, the Chief Elected Official
  1. may call a Special Council Meeting whenever the official considers it appropriate to do so, and
  2. must call a Special Council Meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the Councillors.

#### Councillor Honorariums

- 7.10. Councillors are eligible to receive monthly honorariums as per rates established in the Town's Honorarium Policy. Regular Council Meetings, Organizational Meetings, Committee of the Whole meetings and public hearings which are a part of regular Council Meetings are considered part of a Councillor's regular responsibilities included in the monthly honorarium.
- 7.11. Councillors shall receive remuneration in the form of a per diem, as per rates established in the Town's Honorarium Policy, for attending special council meetings, public hearings which are not part of regular Council Meetings, Council Committee meetings, meetings of a Committee of Council other than the Committee of the Whole that they have been appointed to by Council, and any other event that a Councillor has been granted permission, in the form of a Council motion, to attend.
- 7.12. If a Councillor receives an honorarium or other compensation from an external organization, an honorarium or per diem shall not be paid by the Town.

### 8.0 MEETING NOTIFICATION

- 8.1. Notice of regularly scheduled meetings need not be given.
- 8.2. If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change
  1. to any Councillors not present at the meeting which the change was made, and
  2. to the public.
- 8.3. Notice to the public shall be deemed given by posting to the public bulletin board outside Council Chambers and on the Town website.
- 8.4. Council shall ensure all notification requirements of a Special Council Meeting meet the requirements of Section 194 of the Municipal Government Act.

### 9.0 MINUTES

- 9.1. Minutes of all proceedings of Council Meetings and Special Council Meetings shall be recorded in accordance with section 208 the Municipal Government Act.
- 9.2. At every regular Council Meeting, minutes of the previous Council Meeting and any Special Council Meeting held more than 48 hours prior to the current meeting shall be considered for adoption.
- 9.3. Minutes shall include Motions to adjourn the meeting.
- 9.4. For the purposes of Council Meeting minutes, members of Council shall be limited to reporting on special council meetings, public hearings which are not part of regular council meetings, Council Committee meetings, meetings of a Committee of Council that they have been appointed to by Council, and any other event that a Councillor has been granted permission, in the form of a

Council motion, to attend. Members of Council may report on other Town events that they deem to be pertinent to Town Council, but they shall not be recorded in the minutes.

#### **10.0 BYLAWS RESOLUTIONS AND POLICIES**

- 10.1. Bylaws shall be presented and passed according to Part 2, Division 1 of the Municipal Government Act.
- 10.2. Any revisions or consolidations of bylaws shall be in accordance with Part 3, Division 7 of the Municipal Government Act.
- 10.3. Policies shall be presented for discussion, and passed by majority, and shall come into effect as soon as they are passed unless they contain a deferred implementation.

#### **11.0 QUORUM**

- 11.1. If there is not a sufficient number of Councillors assembled within one half (1/2) hour following the scheduled commencement time of any meeting to constitute a Quorum pursuant to Section 167 of the Municipal Government Act, the Chief Administrative Officer shall record the names of all the members of Council present at that time and Council shall be deemed to be adjourned until the next regular Council Meeting.
- 11.2. When Council is unable to meet for want of a Quorum, the agenda delivered for the proposed meeting shall be considered at the next Council Meeting, or alternatively at a Special Meeting called for that purpose.

#### **12.0 MEETING THROUGH ELECTRONIC COMMUNICATIONS**

- 12.1. Subject to Section 199 of the Municipal Government Act, a Council meeting or Council Committee meeting may be conducted by means of electronic or other communication facilities if:
  - 1. Notice is given to the public of the meeting, including the way in which it is to be conducted,
  - 2. The facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place, and
  - 3. The facilities enable all the meeting's participants to watch or hear each other.
- 12.2. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

#### **13.0 COUNCIL'S USE OF TOWN SUPPLIES**

- 13.1. No member of Council is permitted to use Town supplies or use equipment and/or facilities unless the Councillor has first been empowered to do so by Bylaw or Motion of Council.

#### **14.0 SIGNING AUTHORITY**

- 14.1. The Mayor and Chief Administrative Officer, and if one or both of them is absent, the Deputy Mayor or any Councillor and the Director of Corporate Services, shall countersign all cheques.

#### **15.0 SEVERABILITY**

- 15.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**16.0 REPEAL**

16.1. Bylaw 855-16 of the Town of Picture Butte and any amendments are hereby repealed.



**17.0 COMING INTO FORCE**

17.1. This bylaw shall come into full force and effect upon the final reading and signing thereof.

INTRODUCED AND GIVEN FIRST READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

GIVEN SECOND READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

GIVEN THIRD AND FINAL READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

  
\_\_\_\_\_  
Cathy Moore, Mayor  
\_\_\_\_\_  
Keith Davis, CAO



**Town of Picture Butte**

**Bylaw 904-20**

**Fire Protection**

Town of Picture Butte

Bylaw 904-20

**A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FIRE PROTECTION AND FIRE PREVENTION IN AND FOR THE TOWN OF PICTURE BUTTE;**

**WHEREAS** the Municipal Government Act RSA, 2000, c. M-26, s. 7(a) provides that a Council of a Municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property;

**WHEREAS** the Municipal Council of the Town of Picture Butte wishes to establish a bylaw for the purpose of fire protection and fire prevention within the Town of Picture Butte;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

**SECTION 1 TITLE OF BYLAW**

- 1.1 This Bylaw may be cited as *the “Town of Picture Butte Fire Protection Bylaw”*

**SECTION 2 DEFINITIONS**

- 2.1 In this bylaw;

- a. “Apparatus” shall mean any vehicle provided with machinery, devices, equipment or materials for fighting fires, as well as vehicles used to transport firefighters or supplies.
- b. “Chief Administrative Officer” shall mean any person appointed as Chief Administrative Officer for the Town of Picture Butte pursuant to the Municipal Government Act, RSA 2000, c. M-26
- c. “Town” shall mean the Town of Picture Butte
- d. “Council” shall mean the Municipal Council of the Town of Picture Butte
- e. “Dangerous Goods” shall mean a product, substance, or organism included by its nature or by the regulations in any of the classes listed in the *Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4*.
- f. “Emergency” shall mean a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property or the environment.
- g. “Emergency Medical Services” shall mean the provision of pre-hospital emergency medical care including first-medical response by fire department units and transport of patients by ambulance units in accordance with the contract from Alberta Health Services.
- h. “Enforcement Officer” shall mean a Peace Officer or a person appointed by the Chief Administrative Officer to enforce the provisions of this Bylaw.
- i. “Equipment” shall mean any tools, contrivances, devices or materials used by the Fire Department to mitigate an incident or other emergency.
- j. “False Alarm” means any notification to Picture Butte Emergency Services respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or property, where no such condition, circumstance or event exists and the alarm was initiated due to negligence or delinquent action.
- k. “Fire Chief” shall mean the person appointed as manager under the provisions of this Bylaw, or designated delegate and who performs the duties and responsibilities as assigned by this Bylaw.
- l. “Fire Department” shall mean the Picture Butte Emergency Services established under this Bylaw.

- m. "First Responder" shall mean those persons who in the course of their normal duties may be the first on the scene of an incident and are trained to recognize that a hazard exists, call for trained personnel and secure the area.
- n. "Fire Protection" shall mean all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, rescue, pre-fire planning, fire investigation, public education and information, training or other staff development and advertising.
- o. "Fireworks" shall mean the fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 as outlined in Section 14 of the Explosive Regulations (Canada), C.R.C., C.599
- p. "Illegal Fire" shall mean any fire that is set in contravention of this Bylaw.
- q. "Incident" shall mean a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.
- r. "Inspection Officer" shall mean the Fire Chief, Enforcement Officer or any Member with the required certification and directed to undertake inspections.
- s. "Member" shall mean any person appointed as a member of the Picture Butte Emergency Services under this Bylaw.
- t. "Member in Charge" shall mean the Member in command of an Incident.
- u. "Municipal Government Act" shall mean the *Municipal Government Act, RSA 2000, c. M-26* and any amendments thereto.
- v. "Municipal Ticket" means a form, marked as Schedule "C" and attached hereto and forming part of this bylaw, allowing for voluntary payment to the Town for a fine amount established by this bylaw.
- w. "Mutual Aid Agreement" shall mean an agreement between the Town and other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment.
- x. "Non-Emergent Service" shall mean any requested service provided by the Fire Department where no Emergency or False Alarm exists.
- y. "Officer" shall mean a Member appointed by the Fire Chief or Designate to supervisory position within the Fire Department.
- z. "Open Fires" shall mean any Fire which is not contained within a Fire Pit, an outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment, and includes but is not limited to the following:
  - i. Fire for the burning of weeds, grass, leaves, brush or any other plant matter.
  - ii. Fire related to recreational uses in an area that has not been designated for recreational fire by the Town; and
  - iii. Any fire set for the purpose of thawing frozen ground.
- aa. "Property" shall mean any real or personal property, including but not limited to land and structures.
- bb. "Qualified Personnel" shall mean a person in possession of a Fireworks Supervisor Card issued pursuant to the Explosives Act (Canada), R.S.C., 1985, c. E-17 and the Fire Code Regulation (Alberta) A/R 118/2007.
- cc. "Safety Codes Act" shall mean the *Safety Codes Act, RSA 2000, c. S-1* and any amendments thereto.
- dd. "Safety Codes Officer" shall mean an individual designated as a Safety Codes Officer in accordance with the *Safety Codes Act, RSA 2000, c. S-1* with designation-of-powers for the accredited municipality.
- ee. "Security Alarm" shall mean an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act or both.

- ff. “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act, R.S.A 2000, c. P-34*.

### **SECTION 3 ESTABLISHMENT OF FIRE DEPARTMENT**

- 3.1 Council hereby establishes Picture Butte Emergency Services with such facilities and equipment deemed by Council to be adequate for the following:
- a. preventing and extinguishing fires;
  - b. investigating the cause of fires;
  - c. preserving life and property and protecting persons and property from injury or destruction of fire
  - d. preserving life and property, and protecting persons and the environment from injury or destruction by Dangerous Goods, or Industrial incidents;
  - e. providing rescue services
  - f. providing emergency medical services
  - g. preventing, combating and controlling incidents;
  - h. carrying out fire inspections and prevention patrols; and
  - i. entering into agreements with other municipalities or persons for the joint use, control and management of fire and rescue services.

### **SECTION 4 JURISDICTION**

- 4.1 The limits of the jurisdiction of the Fire Department, the Fire Chief and Members shall extend to the area and boundaries of the Town of Picture Butte and those service areas established by Town Council or by agreement.
- 4.2 No apparatus or equipment shall be used beyond the limits of the Town of Picture Butte without the express authorization provided within a Mutual Aid Agreement, fire services agreement, external contract, or direct consent from the Fire Chief.

### **SECTION 5 FIRE CHIEF**

- 5.1 The Chief Administrative Officer shall appoint the Director of Emergency Services. The Director of Emergency Services shall hold the rank and title of Fire Chief.
- 5.2 The Fire Chief shall be responsible to the Chief Administrative Officer or designate.
- 5.3 The Fire Chief may appoint Officers as he or she deems required for the operation of the fire department and subject to the fire department’s approved organization chart and operating budget. Officers shall be supervised by the Fire Chief or designate.
- 5.4 The Fire Chief may appoint additional Members to the Fire Department as he or she deems required for the proper and efficient operation of the Fire Department. These Members shall be supervised by the Fire Chief or designate and other Officers in accordance with the Fire Department’s organizational chart.
- 5.5 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Chief Administrative Officer or designate, and in particular, may carry out all Fire Protection activities and such other activities as directed in the approved annual budget included but not limited to:
- a. rescue;
  - b. emergency medical services, including ambulance services;
  - c. pre-fire planning including permit review and building familiarization;
  - d. prevention and public awareness events; and
  - e. fire inspections.
- 5.6 Subject to the ratification by Council, the Fire Chief may establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including, but not limited to:
- a. use, care and protection of Fire Department Property;

- b. training, conduct and discipline of Members and Officers; and
  - c. efficient operations of the Fire Department.
- 5.7 The Fire Chief or designate, or in his absence, Member in Charge, shall have control, direction and management of any Fire Department apparatus, equipment or human resources assigned to an incident; where as a Member in Charge, shall continue to act until relieved by a Member authorized to do so.
- 5.8 The Fire Chief or the Member in Charge, who is at the site of an incident or other emergency, may at his or her discretion:
- a. order persons in a building to vacate the building and not re-enter the building unless authorized by the Fire Chief or the Member in Charge;
  - b. establish a perimeter around the site and prevent persons from entering the perimeter;
  - c. request enforcement officers assistance to prevent persons from entering building or establish a perimeter;
  - d. cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other building, structures or property; and
  - e. cause any Member, fire apparatus, or equipment to enter on any Property, including adjacent Property to combat, control or deal with the Incident.

## **SECTION 6 POWERS OF MEMBERS**

- 6.1 Each person duly appointed by the Fire Chief is a Member of the Fire Department by virtue of his or her appointment.
- 6.2 Every Member shall have the authority and power to:
- a. extinguish or control any Fire;
  - b. perform the operations necessary to preserve life and property;
  - c. enter onto any Property for the purpose described in clauses (a) or (b); and;
  - d. regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in clauses (a) or (b);
- 6.3 The Fire Chief, or his designate shall have the authority to:
- a. compel any able bodied, adult persons who are not Members to assist in extinguishing fires and to assist in the prevention and spread thereof;
  - b. enter into a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident;
  - c. without a warrant, enter onto any land or premises, except a building used as a dwelling, for the purpose of discharging duties under this Bylaw;
  - d. without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the Fire or to prevent the spread thereof;
  - e. without a warrant, enter any private dwelling to rescue an individual whose life is in imminent danger;
  - f. direct the operations necessary to extinguish or control the Fire, or to preserve life and Property; and
  - g. regulate the conduct of the public in an around the vicinity of any place where a Member is performing the activities necessary to extinguish or control the fire or to preserve life or Property.

## **SECTION 7 FIRE HYDRANTS**

- 7.1 No person, other than Members or employees of the Town, shall, without prior approval from the Fire Chief, affix any tool, hose or other device to any fire hydrant or fire hydrant valve.

- 7.2 No person shall, without prior approval from the Fire Chief, paint any fire hydrant, or any portion thereof.
- 7.3 Any fire hydrant taken out-of-service for any reason shall be communicated to both the Town and the Fire Chief, and any records of maintenance and testing shall be shared between the Town and Fire Department.

## **SECTION 8 CONTROL OF FIRE HAZARDS**

- 8.1 In accordance with the Safety Codes Act, accredited Safety Codes Officers with designation-of-powers from the municipality shall be given access at reasonable hours to both public and private property for the purpose of investigating an unsafe condition, accident or fire to determine its cause and make recommendations related to safety.
- 8.2 If, in the opinion of an Inspection Officer there exists a fire hazard on land within the Town, whether private or public, the Inspection Officer may order the owner or person in control of the said land to reduce or remove the hazard within the time and in the manner prescribed by the Inspection Officer.
- 8.3 In the event of non-compliance with an order made pursuant to Section 8.2, the Inspection Officer may enter onto the land with any equipment and human resources necessary to eliminate or reduce the fire hazard.
- 8.4 The owner or person in control of the land on which work was performed pursuant to section 8.3 shall, upon receipt of written demand by the Town, reimburse the Town for the cost of the work performed.
- 8.5 If payment is not received within 30 days of the issuance of the demand pursuant to section 8.4, the Town shall add the cost of the work performed to the tax roll of the said land, and cause a corresponding lien to be registered against the land at the Land Titles Office.

## **SECTION 9 REQUIREMENTS TO REPORT**

- 9.1 The owner or authorized agent of any property damaged by the fire shall immediately report to the Fire Department particulars about the fire which is satisfactory to the Fire Chief and failure to do so is an offence.
- 9.2 The owner or authorized agent of any property containing dangerous goods shall immediately report to the Fire Department the particulars regarding any accidental or unauthorized release of such dangerous goods and failure to do so is an offence.
- 9.3 Any person who has spilled or released any dangerous good shall immediately report particulars of such spill or release to the Fire Department and failure to do so is an offence.

## **SECTION 10 OPEN FIRES**

- 10.1 No person shall cause an open fire in an open area to be ignited or allow an open fire to continue burning in an open area within the Town.
- 10.2 Any person who fails to comply with any of the provisions of subsection 10.1 herein is guilty of an offence.
- 10.3 Subsection 10.1 shall not apply to fires set by the Fire Department for training purposes or as a backfire
- 10.4 Any member, Peace Officer or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure that the Member may deem appropriate or necessary to extinguish an illegal fire.
- 10.5 The costs of controlling or extinguishing any illegal fire shall be recovered from the person causing the illegal fire under the provisions of the Municipal Government Act.

## **SECTION 11 RESPONDING TO FALSE ALARMS**

- 11.1 The Town may charge a fee for an emergency service provided by the Fire Department that responds to a False Alarm, as set out in the Town's Schedule of Fees, where such emergency service responds to:

- a. more than one False Alarm at the same building within the same calendar year;
  - b. more than one False Alarm from the same alarm system within the same calendar year;
  - c. more than one False Alarm from the same parcel of land within the same calendar year where there is more than one building on that parcel of land.
- 11.2 Where the Fire Department responds to any alarm that is the result of a Security Alarm being routed to the Fire Department the Town may charge a fee for an emergency service as set out in the Town's Schedule of Fees.
- 11.3 Where the Fire Department responds to an alarm as set out in subsection 11.2 and the Business Owner, Property Owner, or Property Manager does not provide access to the interior of the building within 15 minutes of the arrival of the Fire Department, the Town may charge, in addition to the False Alarm fee set out in Schedule "A", a standby fee as set out in the Town's Schedule of Fees until access is provided to the interior of the building.
- 11.4 Where a Business Owner, Property Owner or Property Manager has installed a lock-box, he/she shall immediately notify the Fire Chief of such lock box and provide a key or code if required.
- 11.5 If a Business Owner, Property Owner or Property Manager has installed a lock-box in an accessible location at the building and if that lock-box contains current keys or codes to provide access to the building, a person or key holder does not have to be present to satisfy the access requirements as set out in subsection 11.3.
- 11.5 If the Fire Department is dispatched to respond to an alarm, but is notified that the alarm is a False Alarm before a vehicle leaves a fire station, and if, as a consequence, only one vehicle responds to the False Alarm to re-set that alarm system, the fee set out in the Town's Schedule of Fees for that response shall be reduced by 50%. The 50% fine reduction shall apply to fire alarms and not to a Security Alarm routed to the Fire Department.
- 11.6 The fees provided for in this section shall be charged to a Property Owner. Failure to pay such fees identified in section 11 shall result in such fees being applied to the appropriate tax roll.

## **SECTION 12 CONTRACTS & AGREEMENTS**

- 12.1 The Town may, by Council approval:
- a. enter into a written contract providing the supply of Fire Protection services outside the municipal boundaries of the Town with another municipality;
  - b. enter into mutual aid agreements with other surrounding municipalities;
  - c. upon request, supply Fire Protection services outside the municipal boundaries of the Town.

## **SECTION 13 FIRE PITS, OUTDOOR FIREPLACES, and STATIONARY & PORTABLE BARBEQUES**

- 13.1 For the enjoyment of dwelling residents use of fire pits, outdoor fireplaces and stationary barbeques may be permitted.
- 13.2 The use of fire pits, outdoor fireplaces and stationary barbeques may be restricted or prohibited during a fire ban.
- 13.3 Fire pits, outdoor fireplaces and stationary barbeques that burn combustible material shall:
- a. be located in a rear yard with a minimum of 2.5 meters (8 feet) clearance from buildings, property lines and combustible materials, or as approved by the Fire Chief;
  - b. be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components.



- c. have a spark arrestor mesh screen of 1.30 centimeters (0.50 inches) expand metal (or equivalent) to contain sparks over the fire at all times;
  - d. be the sole responsibility of the owner or tenant of the property;
  - e. be supervised at all times by a responsible adult person over the age of eighteen (18) until such time as the fire has been completely extinguished. For the purpose of this clause, a fire shall be deemed to include any hot ashes and smoldering embers resulting from the fire;
  - f. only burn wood, charcoal briquettes, propane or natural gas; and
  - g. have flames no higher than ninety (90) cm or three (3 feet) above the fire pit or barbeque fire box.
- 13.4 During a fire ban, the only fires permitted shall be in portable barbeques which burn propane or natural gas.
- 13.5 Except during a fire ban, fires are permitted within Town owned outdoor fireplaces and fire pits located within public areas.
- 13.6 Any person that fails to comply with any of the provisions of Section 13 herein is guilty of an offence.

#### **SECTION 14 FIREWORKS**

- 14.1 Subject to the exceptions set out in the following, no person shall discharge any fireworks within the corporate limits of the Town.
- 14.2 The Fire Department may permit qualified personnel to ignite fireworks and conduct fireworks displays upon receiving and approving a completed Display Fireworks Application, as found in Schedule "B" of this Bylaw. The application shall comply with the requirements of Section 3.7 of the *Display Fireworks Manual, 2010* from Natural Resources Canada. The Fire Chief may impose, at the sole discretion of the Fire Chief, such conditions and restrictions on their use and display as may be appropriate. Such conditions and restrictions might address:
- a. hours of the day;
  - b. days of the week;
  - c. height of display and type of fireworks used;
  - d. geographic location requirements for notification of affected residents; and
  - e. safety.
- 14.3 All fireworks shall be stored, used and ignited in accordance with the provisions of the Explosives Act (Canada) R.S.C., 1985, c. E-17, Alberta Safety Code RSA, 2000, Chapter S-1, and the current Alberta Fire Code and their regulations and in accordance with those conditions determined solely by the Town.
- 14.4 Retail locations offering the sale of consumer fireworks will be subject to annual fire inspections.
- 14.5 Any person that fails to comply with any of the provisions of Section 14 is guilty of an offence.
- 14.6 The Fire Chief, or designate, may require a person to cease discharging, firing or setting off fireworks when considered necessary to do so for reasons of safety, as outlined in the Alberta Fire Code and the Alberta Safety Codes Act, or for non-compliance of this bylaw.

#### **SECTION 15 FIRE BANS**

- 15.1 The Fire Chief may impose a complete or partial fire ban within the Town at his/her discretion. When a fire ban is imposed, the Town shall post the fire ban information on the Town's website and provincial fire ban website detailing the conditions of the fire ban.

- 15.2 No person shall start or allow a fire on private or public property within the Town at any time while a complete fire ban is in place.
- 15.3 The Fire Chief or designate, a Member or an Enforcement Officer may direct a person to extinguish any fire when a fire ban is in place.
- 15.4 A person who fails to comply with an order issued pursuant to subsection 15.3 is guilty of an offence and the Fire Department may extinguish the fire.

## **SECTION 16 RECOVERY OF COSTS**

- 16.1 The Fire Department will provide such fire suppression and life-saving rescue services as outlined in this Bylaw within the municipal boundaries of the Town of Picture Butte at no charge to the citizens of the Town of Picture Butte.
- 16.2 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, responding to a fire call, false alarm or incident for the purpose of preserving life or property from injury or destruction by fire or other incident, the Fire Chief may:
  - a. in respect of any cost incurred in taking such action, charge any cost so incurred to the person who commits arson or deliberately commits criminal action that leads to an emergency situation and is convicted of such; or
  - b. in respect of any action taken on railway rights of way, charge any cost so incurred to the company or its agent; or
  - c. in respect to any response to a motor vehicle collision on a provincial highway, recover costs from Alberta Transportation as per their established rates for reimbursement; or
  - d. in respect of any action taken to mitigate or control a hazardous materials or dangerous goods incident, charge any cost so incurred to the company or its agent.
- 16.3 Notwithstanding subsection 16.1, an owner or occupant of land shall not be charged for costs incurred due to a False Alarm unless such owner or occupant is responsible for such False Alarm.
- 16.4 The costs and fees to be charged by the Fire Department for services rendered pursuant to this Bylaw are as set out in the Town of Picture Butte's Schedule of Fees.
- 16.5 In respect of any costs or fees levied or charged under this Bylaw:
  - a. the Town may recover such costs or fees as a debt due and owing to the Town; and;
  - b. in default of payment, where permitted by the Municipal Government Act, add the amounts to the tax roll of a parcel of land.
- 16.6 The Fire Department may charge for the provision of Non-Emergent Services as outlined in the Town's Fees and Rates Policy.

## **SECTION 17 OFFENCES**

- 17.1 No person shall damage or destroy Fire Department apparatus, equipment or supplies.
- 17.2 No person shall falsely represent themselves as a Member or wear or display any Fire Department badge, cap, insignia or other paraphernalia for the purpose of such representation.
- 17.3 No person shall:
  - a. cause any open or illegal fire in the Town of Picture Butte contrary to any provision of this Bylaw; or
  - b. provide false, incomplete or misleading information to the Fire Department on or with respect to an incident, fire or fire related information; or
  - c. interfere with the efforts of any persons authorized to extinguish fires or preserve life or property or in the carrying out of other duties imposed by this Bylaw; or

- d. at an incident, impede, obstruct or hinder a Member or other person assisting or acting under the direction of the Member in Charge; or
- e. at an incident, drive a vehicle or any apparatus without the permission of the Member in charge; or
- f. impede, obstruct or hinder a Member from carrying out duties imposed by this Bylaw; or
- g. burn or be responsible for the burning of any garbage or refuse; or
- h. allow any fire to give off dense smoke or any offensive odor in a manner which relates nuisance to neighboring persons and property; or
- i. allow any fire to burn out of control so as to threaten or cause damage to adjacent property; or
- j. light an open fire or a structure fire; or
- k. fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than his/her own; or
- l. deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.

## **SECTION 18 PENALTIES**

- 18.1 A person who fails to comply with or breaches any provision of this Bylaw is guilty of an offence.
- 18.2 If a Municipal Ticket is issued in respect of an offence, the Municipal Ticket will specify the fine amount listed in Schedule "A".
- 18.3 A person who is issued a Municipal Ticket in respect of an offence may pay the fine amount established by this bylaw for the offence at the Town of Picture Butte Office located at 120 – 4<sup>th</sup> Street North, Picture Butte, Alberta T0K 1V0 and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 18.4 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
  - a. specify the fine amount established by this bylaw for the offence; or
  - b. require a person to appear in court without the alternative of making a voluntary payment; and a person who enters a guilty plea or is found guilty of an offence is liable to a fine in an amount not less than that specified in this bylaw and not exceeding \$10,000.00 and liable to imprisonment for not more than 6 months for non-payment of the fine. Nothing in this Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

## **SECTION 19 LIABILITY**

- 19.1 The Fire Chief or a Member charged with any duty of this Bylaw, acting in good faith and without malice for the Town in the discharge of their duties, shall not hereby render themselves personally liable and the Fire Chief or Member is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of the Fire Chief or Member's duties.
- 19.2 Any suit brought against the Fire Chief or a Member, because of an act or omission performed by the Member in the enforcement of any provision of this Bylaw, shall be defended by the Town until final determination of the proceedings. The Fire Chief and any Member will be reimbursed or indemnified against any loss or expense which the Fire Chief or Member may incur as a result of any inquiry relating to, or any action brought or judgment obtained arising out of the Fire Chief or Member's duties. The Town shall not be required to pay any fines or penalties levied or imposed against the Fire Chief or any Member by reason of any conviction or charge for violation of any statute or Bylaw.

## **SECTION 20 SEVERABILITY**

- 20.1 Should any section or part of this Bylaw be found to have been improperly enacted for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

## **SECTION 21 REPEALED**

- 21.1 Town of Picture Butte Bylaw No. 859-17 and any amendments are hereby repealed.

This Bylaw shall take effect on the day of the final passing thereof.

INTRODUCED AND GIVEN FIRST READING this 23<sup>rd</sup> day of November, 2020.

GIVEN SECOND READING this 23<sup>rd</sup> day of November, 2020.

GIVEN THIRD AND FINAL READING this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
MAYOR

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

**SCHEDULE “A”**

**Fines**

<b><u>Offence</u></b>	<b><u>Section, Subsection or Clause</u></b>	<b><u>Fine Amount</u></b>
Failing to report a fire	9(9.1)	\$150.00
Failing to report a dangerous good spill or release	9(9.2) or 9(9.3)	\$150.00
Having an open fire	10(10.2)	
1 <sup>st</sup> offence within one (1) year		\$100.00
2 <sup>nd</sup> offence within one (1) year		\$250.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$500.00
Failure to have a permitted fire pit, fire place or barbeque	13(13.6)	\$150.00
Illegally discharging fireworks in Town	14 (14.5)	
1 <sup>st</sup> offence within one (1) year		\$250.00
2 <sup>nd</sup> offence within one (1) year		\$500.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$750.00
Failure to comply during a Fire Ban	15.4	
1 <sup>st</sup> offence within one (1) year		\$500.00
2 <sup>nd</sup> offence within one (1) year		\$750.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$1000.00
Damage or Destroy Fire Department Property	17.1	\$1000.00
Impersonating a Member	17.2	\$250.00
Provide false information	17.3(b)	\$250.00
Interfere with a member in carrying out duties under Bylaw	17.3(f)	\$1000.00
Burning of garbage or waste	17.3(g)	\$250.00
Allow a fire to create dense smoke or offensive odor	17.3(h)	\$150.00
Failure to control a fire	17.3(i), 17.3(k)	\$500.00
Deposit, discard or leave burning material/substance	17.3(l)	\$150.00



SCHEDULE "B"

## Display Fireworks Permit

Supervisor/Company Name: \_\_\_\_\_

Sponsoring Agency: \_\_\_\_\_

Fireworks Supervisor's Card Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

The applicant is herewith authorized to possess, handle, discharge, fire or set of Display (Class 7.2.2) Fireworks within the Town of Picture Butte:

on \_\_\_\_\_ at \_\_\_\_\_  
Date & Time Location

Fireworks display must be in compliance with Section 5.7 of the Alberta Fire Code. The applicant must provide as part of this permit application:

- Proof of liability insurance in the amount of \$2,000,000
- A copy of their Fireworks Supervisor's card
- A diagram of the display site & discharge area
- A list of the fireworks that will be discharged

Conditions:

- Applicant must have the permission of all property owners adjacent to the display area
- Must contact the Fire Department before the shoot
- Cannot set off the fireworks if winds exceed 45 km/h
- All Transportation of Dangerous Goods transportation & storage requirements for Class 1 Explosives apply

This permit is subject to the cancellation for any breach of the Alberta Fire Code (Section 5.7) or any of the requirements or conditions of this permit.

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Approving Officer

Permit Number \_\_\_\_\_



TOWN OF PICTURE BUTTE  
BYLAW NO. 906-21

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN ECONOMIC DEVELOPMENT COMMITTEE TO PROMOTE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the right to govern the Town in a manner that Council considers appropriate;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws in relation to the establishment and functions of Council committees, and the procedure and conduct of Council committees, and the conduct of Council committees established by the Council;

AND WHEREAS the Council of the Town of Picture Butte considers it expedient to establish an Economic Development Committee to advise them on Economic Development matters;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

1.1. This bylaw may be cited as the "Economic Development Committee Bylaw".

2. DEFINITIONS

2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte;
2. "Committee" means the Picture Butte Economic Development Committee;
3. "Council" means the Town of Picture Butte Council;
4. "Chamber of Commerce" means the Picture Butte and District Chamber of Commerce.

3. Economic Development Committee

3.1. There is hereby established a Committee to be known as the Picture Butte Economic Development Committee.

4. Appointments/Terms

- 4.1. The Committee shall consist of seven (7) voting members appointed by Council. The said members shall consist of:
  1. Two (2) members of Town Council;
  2. One (1) member nominated by the Chamber of Commerce;
  3. Two (2) members representing the agricultural community;
  4. Two (2) members representing the business/industrial community;
- 4.2. A maximum of three (3) members of the Committee may be from outside the municipal boundaries of the Town of Picture Butte.
- 4.3. All members shall be appointed by Council Resolution at the recommendation of the Economic Development Committee submitted in writing.
- 4.4. Appointments shall be for four (4) years.
- 4.5. All members shall remain in office until their respective successors are appointed by Council.

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- 4.6. By mutual consent, the Council and the Committee may with reason, request the resignation of any of the members, prior to the expiry date of the member's appointment.
- 4.7. Any member may resign at any time upon sending a written notice to the CAO.
- 4.8. A person is disqualified from remaining a member of the Committee if he/she fails to attend, without being authorized by a resolution of the Committee to do so, three (3) consecutive Committee meetings.
- 4.9. If a member of the Committee is disqualified from remaining a member under subsection 5.6., he/she is deemed to have resigned his/her seat on the Committee.

## 5. Proceedings

- 5.1. Annually, the Committee shall hold a meeting at which time a chairperson and vice-chairperson shall be selected for the ensuing year.
- 5.2. Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee, at least once every three (3) months, and at such other times as deemed necessary.
- 5.3. A majority of members of the Committee constitute a committee.
- 5.4. Any decision of the Committee that is reached by a majority of quorum shall be deemed to be the decision of the Committee.
- 5.5. All minutes, resolutions and policies of the Committee shall be entered in books to be kept by it for that purpose and the books shall be signed by the Chair or Acting Chair.
- 5.6. A copy of all minutes, resolutions and policies shall be given to the CAO to be filed with the Town records.
- 5.7. Remuneration of the members of the committee shall be established by resolution of Council.

## 6. Economic Development Officer

- 6.1. There shall be an Economic Development Officer who shall assist and advise the Committee.
- 6.2. The Economic Development Officer shall be an employee or appointed by the CAO of the Town of Picture Butte.
- 6.3. The Economic Development Officer shall:
  1. Provide expertise and assistance to the Committee in the development and implementation of economic goals and objectives;
  2. Notify all members and advisers of the Committee of the holding of any regular or special meetings;
  3. Keep proper and accurate minutes of the process of all meetings which shall be retained in the Town office;
  4. Maintain all records and correspondence that are relevant to the Committee;
  5. Carry out such other administrative duties as the Committee may require.
  6. Have no voting privileges.

## 7. Duties of the Committee

- 7.1. The Committee's objectives shall be to devise methods of:
  1. Improving Picture Butte's image;
  2. Attracting new residents;
  3. Attracting new businesses.
- 7.2. The Committee shall provide advice on both economic and community development matters identified by the Committee or as assigned to the Committee by Council.
- 7.3. Specific powers, duties and responsibilities of the Committee include:
  1. serve as a liaison between town government and the community;
  2. in conjunction with Council and Town staff, facilitate economic growth and redevelopment activities for the Town of Picture Butte;

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3. work with citizens, staff, business owners, property owners, prospective developers, the Chamber of Commerce, and other economic development stakeholders on a variety of economic and community development and redevelopment activities;
4. provide review and comment on economic and community development and redevelopment policies to Council;
5. make recommendations to Council regarding economic and community development issues, strategy development and implementation and other initiatives that can be undertaken by the Town to expand and strengthen its economy, inclusive but not limited to investment attraction, business retention and expansion, workforce retention and expansion, entrepreneur development and small business support; and
6. to assist Council in finding funding sources for economic and community development and redevelopment initiatives.

7.4 The Committee Chairperson shall present an annual written report to Council in December of each year.

8. Budget

- 8.1. Annually, before the 30<sup>th</sup> of September, the Committee shall submit to the Council for ratification, a budget of estimated expenditures and revenues for the next year with respect to all matters over which or under the terms of this bylaw, it has jurisdiction.
- 8.2. Neither the Committee nor any member thereof shall have the power to pledge the credit of the Town in connection with any matter whatsoever; nor shall the said Committee nor any member thereof have the power to authorize any expenditure to be charged against the Town.
- 8.3. In the event that there is any deviation of the ratified budget desired by the Committee, application for change from the ratified budget must be made to Council before the change is affected.

9. COMING INTO EFFECT

- 9.1. This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO



TOWN OF PICTURE BUTTE  
BYLAW NO. 908-21

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A HEALTH PROFESSIONAL RECRUITMENT AND RETENTION IN THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the right to govern the Town in a manner that Council considers appropriate;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws in relation to the establishment and functions of Council committees, and the procedure and conduct of Council committees, and the conduct of Council committees established by the Council;

AND WHEREAS the Council of the Town of Picture Butte considers it expedient to establish a Health Professional Recruitment and Retention Committee to advise them on health professional recruitment and retention matters;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

- 1.1. This bylaw may be cited as the "Health Professional Recruitment and Retention Committee Bylaw".

2. DEFINITIONS

- 2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte;
2. "Committee" means the Picture Butte Health Professional Recruitment and Retention Committee;
3. "Council" means the Town of Picture Butte Council;

3. HEALTH PROFESSIONAL RECRUITMENT AND RETENTION COMMITTEE

- 3.1. There is hereby established a Committee to be known as the Picture Butte Health Professional Recruitment and Retention Committee.

4. APPOINTMENTS/TERMS

- 4.1. The Committee shall consist of seven (7) voting members appointed by Council. The said members shall consist of:
1. Two (2) members of Town Council;
  2. One (1) physician representative;
  3. One (1) health professional representative;
  4. Three (3) members living in the Town of Picture Butte;
- 4.2. The Committee shall also consist of three (3) non-voting members. The non-voting members shall consist of:
1. One (1) member of the Town of Picture Butte Administration team appointed by the CAO;
  2. One (1) member of the Rural Health Professions Action Plan;
  3. One (1) Alberta Health Services representative.

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- 4.3. All voting members shall be appointed by Council Resolution at the recommendation of the Committee.
- 4.4. Appointments shall be for four (4) years.
- 4.5. All members shall remain in office until their respective successors are appointed by Council.
- 4.6. By mutual consent, the Council and the Committee may with reason, request the resignation of any of the members, prior to the expiry date of the member's appointment.
- 4.7. Any member may resign at any time upon sending a written notice to the CAO.
- 4.8. A person is disqualified from remaining a member of the Committee if he/she fails to attend, without being authorized by a resolution of the Committee to do so, three (3) consecutive Committee meetings.
- 4.9. If a member of the Committee is disqualified from remaining a member under subsection 5.6., he/she is deemed to have resigned his/her seat on the Committee.

## 5. PROCEEDINGS

- 5.1. Annually, the Committee shall hold a meeting at which time a chairperson and vice-chairperson shall be selected for the ensuing year.
- 5.2. The secretary shall be a member of Town administration. The roll of the secretary is to:
  1. Prepare agendas, with the Chair, for the meeting;
  2. Keep minutes of the meetings and distribute them to the members.
- 5.3. Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee, at least once every three (3) months, and at such other times as deemed necessary.
- 5.4. A majority of members of the Committee constitute a committee. Attendance via electronic means is considered acceptable for meeting quorum and attendance requirements.
- 5.5. Any decision of the Committee that is reached by a majority of quorum shall be deemed to be the decision of the Committee.
- 5.6. All minutes, resolutions and policies of the Committee shall be entered in books to be kept by it for that purpose and the books shall be signed by the Chair or Acting Chair.
- 5.7. A copy the minutes shall be distributed, via email, to Committee members within one week of the meeting whenever possible;
- 5.8. Remuneration of the members of the committee shall be established by resolution of Council.

## 6. DUTIES OF THE COMMITTEE

- 6.1. The purpose of the Committee is to build a sustainable system for health profession attraction and retention in collaboration with local health professionals which will ensure ongoing health-care provision to the community;
- 6.2. The Committee's objectives shall be to:
  1. Coordinate attraction and retention of needed health professions amongst the existing providers, Alberta Health Services (AHS), Covenant Health, and the community;
  2. To reduce the need for recruitment by focusing on retention efforts.  
Retention efforts focus on the following three areas;
    - a. Settling in and integration of health professionals;
    - b. Family integration into the community; and
    - c. Family quality of life interests.
  3. To facilitate community involvement in the attraction and retention process together with health professions and AHS;



- 6.3 Specific powers, duties and responsibilities of the Committee include:
1. Serve as a liaison between Town Council and the community;
  2. In conjunction with Council and Town staff, facilitate health professional retention and recruitment activities for the Town;
  3. Work with stakeholders to retain and recruit health professionals to the Town;
  4. Provide review and comment on health profession retention and attraction efforts to Council;
  5. Make recommendations to Council regarding health profession retention and attraction issues, strategy development and implementation and other initiatives that can be undertaken by the Town to expand and strengthen its health professional's retention and attraction efforts; and
  6. To assist Council in finding funding sources for health professional retention and attraction initiatives.
- 6.4 The Committee Chairperson shall present an annual written report to Council in December of each year.

7. BUDGET

- 7.1 Annually, before the 30<sup>th</sup> of September, the Committee shall submit to the Council for ratification, a budget of estimated expenditures and revenues for the next year with respect to all matters over which or under the terms of this bylaw, it has jurisdiction.
- 7.2 Neither the Committee nor any member thereof shall have the power to pledge the credit of the Town in connection with any matter whatsoever; nor shall the said Committee or any member thereof have the power to authorize any expenditure to be charged against the Town.
- 7.3 In the event that there is any deviation of the ratified budget desired by the Committee, application for change from the ratified budget must be made to Council before the change is affected.

8. COMING INTO EFFECT

- 8.1 This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 909-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the purpose of the proposed amendment is to redesignate land legally described as:

Lot 5, Block 8, Plan 7810085

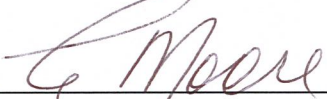
From Residential – R1 to Residential Multi-unit – R5, as shown on the map in Schedule 'A' attached hereto to accommodate the development of a multi-unit residential building;

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. The land described as Lot 5, Block 8, Plan 7810085 as shown on the attached Schedule 'A' be designated Residential Multi-unit – R5.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 25<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 910-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to delete Accessory buildings and structures as a discretionary use and include only as a permitted use in all land use districts without the size specifications, to simply and streamline the development approval process.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. **The Land Use Bylaw is amended by deleting Accessory buildings and structures from the list of Discretionary uses (Type A and B) in each land use district.**
2. **The Land Use Bylaw is amended by deleting all references to size following the listing of Accessory buildings and structures as a permitted use in each land use district, as shown:**

1. PERMITTED USES

Accessory buildings and structures, ~~33.44 m<sup>2</sup> (360 sq. ft.) or less~~

11. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
12. Final formatting and consolidation shall take place following the passage of the bylaw.
13. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 8<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 8<sup>th</sup> day of March 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 911-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to remove the opportunity for manure application and grazing of livestock within the Urban Reserve land use district to ensure agricultural lands within the Town are compatible with adjacent residential and commercial development.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. **The Land Use Bylaw, Part 3 – Development Not Requiring a Development Permit, is amended by deleting text as follows:**

(s) the carrying out of activities related to extensive agriculture as permitted in a land use district, provided it is in accordance with the specific standards and criteria of the bylaw, and with respect to the landowner adhering to good farming practices.

2. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Intent is amended by adding and deleting text as follows:**

INTENT: To limit and manage development in areas along the community's fringe to uses which will not constrain the transition to more intensive urban development in the future. Development and fragmentation of land is to be limited in order to preserve land and enable it to be more efficiently planned for and serviced in the future. Agricultural uses may occur in the interim prior to land being planned for and developed as more intensified urban use, but such uses are limited to non-noxious, minor activities related to the cultivation of land, and crop production

3. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Permitted Uses is amended by deleting the following:**

PERMITTED USES

Extensive agriculture (see definition and section 8 of this district)  
Irrigated farming  
Market gardens  
Nursery

4. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Prohibited Uses is amended by adding the following:**

PROHIBITED USES

Keeping of confined livestock, farm or exotic animals, including animal shelters, cattle barns or feedlots, swine barns, poultry barns, etc.  
Manure application/spreading  
Manure or compost stockpiles  
Noxious and hazardous uses  
Pasturing and grazing of livestock  
Shipping containers

5. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Section 6. Extensive Agriculture and Livestock Grazing is amended by adding and deleting text as follows:**

6. EXTENSIVE AGRICULTURE AND LIVESTOCK GRAZING

(1) Development permits are not required for extensive agriculture uses; however, such uses are limited to non-noxious, best practice farming activities related to the cultivation of land and crop production. Allowable activities include cultivating soil, raising and producing field

crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing.

(3) The keeping of confined livestock, farm or exotic animals, manure stockpiling, application, and composting are not permitted in this land use district.

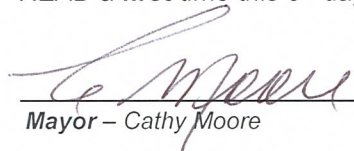
(5) See Definitions, Part 6, for the applicable definitions of extensive agriculture, livestock, farm animals and exotic animals.

6. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.

7. Final formatting and consolidation shall take place following the passage of the bylaw.

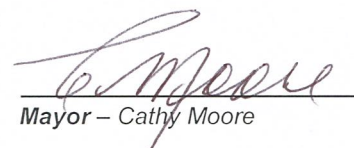
8. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

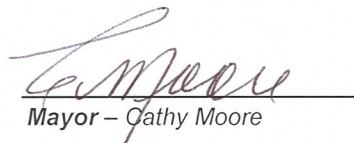
  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 26<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 26<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 912-21

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND LICENCE THE KEEPING OF CHICKENS IN URBAN AREAS OF THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the safety, health and welfare of people, the protection of people and property, wild and domestic animals and certain activities in relation to them;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws to provide a system of licences, permits and approvals;

AND WHEREAS the Council of the Town of Picture Butte deems it desirable to regulate and licence the keeping of chickens in urban areas of the Town;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

- 1.1. This bylaw may be cited as the "Urban Hen Bylaw".

2. DEFINITIONS

2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte, or designate;
2. "Contiguous Boundary" means property which either abuts directly on the property where Hens will be kept or is directly separated from the property by a street or street right of way, alley, walkway, railway, water body, utility lot or other similar feature;
3. "Coop" means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Hens, that is no larger than 9.2 square metres (100 sq. ft.) in floor area, and no more than two metres (6.56ft.) in height;
4. "Council" means the Town of Picture Butte Council;
5. "Hen(s)" means a domesticated female chicken that is at least sixteen weeks of age;
6. "Municipal Tag" means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town;
7. "Outdoor Enclosure" means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for the Hens to roam;
8. "Peace Officer" means
  - a. A member of the Royal Canadian Mounted Police
  - b. A Community Peace Officer as appointed by the Solicitor General of Alberta;
  - c. A Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town;
9. "Rooster" means a domesticated male chicken;
10. "Sell" means to exchange or deliver for money or its equivalent;
11. "Town" means the Town of Picture Butte, a municipal corporation in the Province of Alberta, and where the context so requires, means the area of land within the corporate boundaries thereof;
12. "Urban Area" means lands located within the Town on which agricultural operations, including but not limited to the keeping of livestock, are neither a permitted or discretionary use under the Bylaws of the Town;

13. "Urban Hen Licence" means a licence issued pursuant to this Bylaw which authorizes the licence holder to keep Hens on a specific property within the Town.
14. "Violation Tag" means a notice or tag in the form as approved by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw;
15. "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedures Act, Revised Statutes of Alberta 2000, Chapter P-34 and any amendments or regulations thereto.

### 3. PROHIBITIONS

- 3.1. In an Urban Area, no person shall keep:
  1. a Rooster;
  2. a Hen, other than on a property for which a valid Urban Hen Licence has been issued; or
  3. burn excess manure.

### 4. URBAN HEN LICENCES

- 4.1. The maximum number of Urban Hen Licences that may be issued in the Town shall be ten (10).
- 4.2. A person may keep up to five (5) Hens by:
  1. Submitting a completed Urban Hen Licence Application;
  2. Paying a non-refundable application fee as outlined in the Town's Fees, Rates and Charges Bylaw.
  3. Paying an annual fee for the Urban Hen Licence as outlined in the Town's Fees, Rates and Charges Bylaw.
- 4.3. Urban Hen Licences:
  1. May be issued if the CAO is satisfied that:
    - a. The applicant is the owner of the property on which the Hens will be kept; or that the owner of the property has provided written consent to the applicant;
    - b. The property is zoned as a residential land use district, excluding Residential Multi Unit – R5 properties, according to the Town's Land Use Bylaw.
    - c. The applicant resides on the property on which the Hens will be kept;
    - d. All required information has been provided;
    - e. The applicable fee has been paid; and
    - f. The applicant has complied with all other Provincial and Federal regulations for the keeping of chickens.
  2. May be refused or revoked by the CAO if:
    - a. The applicant or licence holder does not meet or no longer meets the requirements for an Urban Hen Licence as set out in the Bylaw;
    - b. The applicant or licence holder furnishes false information or misrepresents any fact or circumstance required pursuant to this Bylaw;
    - c. The applicant or licence holder has, in the opinion of the CAO, based on reasonable grounds, contravened any part of this Bylaw whether or not the contravention has been prosecuted;
    - d. The applicant or licence holder fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping livestock;
    - e. The applicant or licence holder fails to pay any fee required by this Bylaw or any other applicable legislation; or
    - f. In the opinion of the CAO, based on reasonable grounds, it is in the public interest to do so.

3. Will be refused by the CAO if fifty percent or more of the neighbours having contiguous boundaries with the property where the Hens will be kept are not in support of the application.
4. Are valid for the year, ending December 31<sup>st</sup>;
5. Are not transferable from one person to another;
6. Are not transferable from one property to another except:
  - a. when a licence holder has moved to a new property within the Town, then:
    - i. The licence holder may apply to transfer the licence; and
    - ii. an inspection of the new property must be carried out to determine the licence holder is still able to meet all requirements for an Urban Hen Licence as set out in this Bylaw at such property.

4.4. Urban Hen Licence Fees:

1. Are to be paid prior to the 31<sup>st</sup> of January of every year and expire on December 31<sup>st</sup>;
2. Shall not be reduced or prorated no matter the month of purchase;
3. Shall not be refunded or rebated.

4.5. Notwithstanding any other Town bylaw, a person who has applied for and has been approved for ownership of Hens may keep them in accordance with the terms of this Bylaw and its attached Schedules.

4.6. If the CAO revokes, or refuses to issue an Urban Hen Licence, the applicant may appeal the decision to Council.

## 5. KEEPING OF HENS

5.1. A person who keeps Hens must:

1. Provide each Hen with at least 0.37 square metres (3.98 sq.ft.) of interior floor area, and at least 0.92 square metres (9.9 sq. ft) of outdoor enclosure, within the Coop;
2. Ensure that each Coop is:
  - a. Located in the rear of the property;
  - b. Meets the setback requirements for accessory buildings and structures as outlined in the Town's current Land Use Bylaw.
  - c. At grade level, is no more than 2 metres (6.56 ft.) in height;
3. Provide and maintain, in the Coop, at least one nest box per Coop and one perch per Hen that is at least 15cm long;
4. Keep each Hen in the Coop at all times;
5. Provide each Hen with appropriate food, water, shelter, light, warmth, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust bathing, and roosting, all sufficient to maintain the Hen in good health;
6. Maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
7. Construct and maintain the Coop to prevent any rodent from harbouring underneath, within, or within its walls, and to prevent entrance by any other animal;
8. Keep the Coop secured at all times;
9. Remove leftover feed, trash, and manure in a timely manner;
10. Store feed with a fully enclosed container;
11. Store manure within a fully enclosed container, and store no more than 85 litres of manure at any time;
12. Remove all other manure not used for composting or fertilizing and dispose of such in accordance with Town bylaws;
13. Follow biosecurity procedures outlined by the Canadian Food Inspection Agency to reduce the potential for a disease outbreak;
14. Keep Hens for personal use only; and
15. Inform the Town immediately of any disease or welfare issues that may affect the public, and of the steps taken to rectify the situation.

- 5.2. No person who keeps Hens shall:
1. Sell eggs, manure, meat, or other products derived from a Hen;
  2. Slaughter any Hen on the property;
  3. Dispose of any Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of such; and
  4. Keep a Hen in a cage, kennel, or any other form of shelter other than a Coop, except for the purpose of temporary transport.

## 6. AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

- 6.1. Without restricting any other power, duty or function granted by the Urban Hen Bylaw, the CAO may:
1. Carry out any inspections to determine compliance with this Bylaw;
  2. Take any steps or carry out any actions required to enforce this Bylaw;
  3. Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
  4. Establish forms for the purpose of this Bylaw; and
  5. Delegate any powers, duties or functions under this Bylaw to a Town employee.

## 7. PENALTIES AND ENFORCEMENT

- 7.1 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.
- 7.2 Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than Ten Thousand (\$10,000) dollars, imprisonment for a term not exceeding one year, or both.
- 7.3 Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum specified penalty for the offence.
- 7.4 Where a person contravenes the same provision of this Bylaw two or more times within one twelve-month period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in Schedule A for such offences.
- 7.5 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day on which it continues.
- 7.6 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which that person is liable under the provisions of this Bylaw or any other Bylaw.
- 7.7 Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw may issue and serve:
1. A violation tag allowing a payment of the specified penalty to the Town; or
  2. A violation ticket allowing payment according to the provisions of the Provincial Offences and Procedure Act, Revised Statutes of Alberta 2000, Chapter P-34 and amendments thereto.
- 7.8 Service of a violation tag will be sufficient if it is:
1. Personally served; or
  2. Served by regular mail to the person's last known mailing address.
- 7.9 If a violation ticket is issued in respect to an offence, the violation ticket may:
1. Specify the fine amount established by this Bylaw for the offence; or
  2. Require a person to appear in court without the alternative of making a voluntary payment.
- 7.10 A person who commits an offence may
1. If a violation ticket is issued in respect of the offence; and

2. If the violation ticket specified the fine amount established by this Bylaw for the offence;

make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the provincial courthouse specified on the violation ticket.

## 8. SEVERABILITY

- 8.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of the Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

## 9. COMING INTO EFFECT

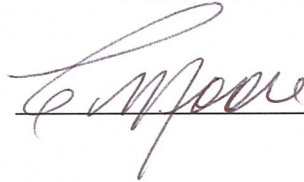
- 8.1 This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 26<sup>TH</sup> DAY OF APRIL, 2021. A.D.

READ A SECOND TIME THIS 25<sup>TH</sup> DAY OF MAY, 2021. A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 25<sup>TH</sup> DAY OF MAY, 2021. A.D.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO



SCHEDULE A

SECTION	OFFENCE	PENALTY 1 <sup>st</sup> Offence	PENALTY 2 <sup>nd</sup> and Subsequent
3.1.1	Keep a rooster	\$250	\$500
3.1.2	Keep an unlicenced Hen	\$250	\$500
4.3.5	Transfer Urban Hen Licence	\$250	\$500
4.4.1	Fail to renew Urban Hen Licence	\$250	\$500
5.1.1	Fail to provide adequate Coop space for number of Hens	\$250	\$500
5.1.2	Coop improperly located	\$250	\$500
5.1.2	Fail to provide nest box or perch per Hen	\$250	\$500
5.1.4	Allow Hen to be outside the Coop	\$250	\$500
5.1.5	Fail to adequately provide for essential Hen behaviour	\$250	\$500
5.1.6	Fail to maintain the Coop to prevent odours	\$250	\$500
5.1.7	Fail to prevent rodents/animals from entering the Coop	\$250	\$500
5.1.8	Fail to keep Coop secured	\$250	\$500
5.1.9	Fail to remove waste in timely manner	\$250	\$500
5.1.10	Fail to properly store feed	\$250	\$500
5.1.11	Fail to properly store manure	\$250	\$500
5.1.12	Fail to properly dispose of manure	\$250	\$500
5.1.13	Fail to follow biosecurity procedures	\$250	\$500
5.1.14	Keep Hens for other than personal use	\$250	\$500
5.1.15	Fail to inform of any disease or welfare issues	\$250	\$500
5.2.1	Sell products derived from Hens	\$250	\$500
5.2.2	Slaughter Hen on property	\$250	\$500
5.2.3	Unlawfully dispose of Hen	\$250	\$500
5.2.4	Keep Hen in other form of shelter other than a Coop	\$250	\$500
	Application Fee	As per the Fees, Rates and Services Bylaw \$100 Proposed	
	Annual Urban Hen Licence Fee	As per the Fees, Rates and Services Bylaw \$30 Proposed	

TOWN OF PICTURE BUTTE  
BYLAW NO. 914-21

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF RATES, FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY OR ON BEHALF OF THE MUNICIPALITY OF PICTURE BUTTE

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has broad authority to govern including authority to pass bylaws respecting rates, fees and charges levied for goods and services provided by or on behalf of the Municipality;

AND WHEREAS other provincial legislation empowers or requires a municipality to levy fees and charges specific to activities pursuant to such legislation;

AND WHEREAS the Town of Picture Butte Council deems it desirable and fiscally responsible to establish rates, fees and charges for municipal services and the use of municipal facilities;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

1.1. This bylaw may be cited as the "Service Fees, Rates and Charges Bylaw".

2. SCHEDULE:

2.1. Schedule A, attached hereto, shall establish the fees, rates and charges, for the Town of Picture Butte, which are not already specified in an existing bylaw.

3. SEVERANCE

3.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

4. COMING INTO EFFECT

4.1. Bylaw No. 892-20 Service Fees, Rates and Charges Bylaw is hereby rescinded when this bylaw shall come into force.

4.2. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 10<sup>TH</sup> DAY OF MAY, A.D. 2021.  
READ A SECOND TIME THIS 10<sup>TH</sup> DAY OF MAY, A.D. 2021.  
READ A THIRD TIME THIS 10<sup>TH</sup> DAY OF MAY, A.D. 2021.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO

## SCHEDULE A

### ADMINISTRATIVE SERVICE CHARGES & FEES

#### Certificate Requests

Tax Certificates	\$	30.00
Certificate of Compliance	\$	30.00
Zoning letter	\$	30.00
Tax /Assessment information (non ratepayer)	\$	30.00
Inspection of the Assessment Role	\$	30.00
Tax Notice Mortgage Admin Fee per Tax Roll	\$	10.00
Reprint of Tax Notice or Utility Invoice (including sending copy to lawyer)	\$	10.00

#### Assessment Appeals

Assessment Appeal of land or building	\$	50.00
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#### Miscellaneous Administrative Fees

NSF Cheques	\$	45.00
Bank Item Return	\$	45.00
Tax Arrears Administrative Fee	\$	100.00
Bylaw Enforcement Administrative Fee	\$	25.00
Pool & Baseball Diamond Refund Administrative Fee	\$	10.00
Replacement Security Cards	\$	20.00
Prices are GST Exempt		

*Last Reviewed by Administration in 2020*

### COMMUNITY CENTRE RENTAL RATES

#### Facility

Main Hall Rental		
• 3 hours	\$	80.25
• 4 hours	\$	107.00
• 5 hours	\$	133.75
• 6 hours	\$	160.50
• 7 hours	\$	187.25
• 8+ hours	\$	200.00
Main Hall & Kitchen Rental		
• 3 hours	\$	130.25
• 4 hours	\$	157.00
• 5 hours	\$	183.75
• 6 hours	\$	210.50
• 7 hours	\$	235.25
• 8+ hours	\$	250.00
Damage Deposit for all rentals	\$	300.00
Prices Inclusive of GST		

*Last Reviewed by Administration in 2020*

RECREATION SERVICE FEES & CHARGES

Sports Field Rentals

Baseball Diamond per hour	\$ 5.25
Local Youth Teams per hour	\$ 3.15
Damage Deposit for all bookings	\$ 300.00
Tennis Courts	No Charge

Prices Inclusive of GST

Last Reviewed by Administration in

Campground Rates

Per Night	\$ 10.00
Per Week (7 consecutive nights)	\$ 60.00
Per Month (30 consecutive nights)	\$ 225.00

Prices Inclusive of GST

Last Reviewed by Administration in

Camp Kitchens

Lions Park Bathroom Multi-purpose room per booking (no ice)	\$ 20.00
Damage Deposit	\$ 100.00
Lions Park Camp Kitchen	No Charge
Regional Park Camp Kitchen	No Charge

Last Reviewed by Administration in 2018

RECREATION SERVICE FEES & CHARGES continued...

POOL

General Admission

Infants (3 and under)	No Charge
Child (4-12)	\$ 3.50
Youth (13-17)	\$ 4.00
Adult (18-64)	\$ 5.50
Senior (65+)	\$ 4.50
Family (2 adults and 4 youth/child)	\$ 16.00
• Additional youth/child	Half Regular

Season Passes

Child (4-12)	\$ 60.00
Youth (13-17)	\$ 75.00
Adult (18+)	\$ 110.00
Senior (65+)	\$ 75.00
Family	\$ 200.00
• 2 adults and 4 youth/child living at the same residential address	
• Additional youth/child season passes	Half Regular
One Parent Family	\$ 145.00
• 1 adult and 4 youth/child living at the same residential address	
• Additional youth/child season passes	Half Regular
Fire Fighter Volunteer	No Charge
Town of Picture Butte Employees	Half Regular

Season passes allow access to all public swims and fitness classes  
“Half Regular” means half the regular rate

Fitness Pass	\$ 60.00
A fitness pass allows access to only fitness classes for the season	

Punch Cards

Ten Pass Child (4-12)	\$ 30.00
Ten Pass Youth (13-17)	\$ 40.00
Ten Pass Adults	\$ 50.00
Ten Pass Seniors (65+)	\$ 85.00

Lessons

Red Cross Swim Lessons	
Level 1 – 6	\$ 45.00
Level 7 – 10	\$ 55.00
Private Lessons (Five, half hour lessons. Must be in same week).	\$ 150.00
Bronze Cross/Medallion	\$ 240.00
• Price includes manual	
Prices are GST Exempt	

**ARENA**

**Public Skating Admissions**

Adults	\$ 2.00
Children (7-17)	\$ 1.00
6 and under	No Charge
Family	\$ 7.00

**Season Passes**

Adults	\$ 31.00
Children (7-17)	\$ 16.00
Family	\$ 110.00

**Ice Rentals**

Adult Groups	\$ 168.30
Youth Groups (in Town)	\$ 96.52
Youth Groups (out of Town)	\$ 108.80
Sponsorships (1 hour)	\$ 96.52
Rentals starting after 10:00 p.m.	\$ 108.80

**Facility Rentals**

Concession Rental per month	\$ 500.00
ProShop Rental per year	\$ 267.75
Teen Room for community groups involved in youth programming	No Charge
Teen Room for groups not involved in youth programming per hour	\$ 10.50
Penalty for Judo club if mats are left on the ground when another youth group wants to use teen room	\$ 52.50
Arena Lobby Rental per hour (April to October)	\$ 15.75

Curling Club Rental (October to April)	\$29,040.00
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**Off Season Rates**

Arena Rental per hour	\$ 30.00
Arena Rental per day	\$ 180.00
Curling Rink Rental per hour	\$ 30.00
Curling Rink Rental per day	\$ 180.00
Damage Deposit	\$ 500.00
All Arena Rates Inclusive of GST	

*Last Reviewed by Administration in 2018*

FIRE DEPARTMENT SERVICE FEES & CHARGES

Emergency Response

Any emergency response outside of the Town of Picture Butte, not covered by an existing agreement, will be invoiced at the current Alberta Transportation rates.

Standby Fees for Non-Emergency Events

Fire Engine per unit per hour or portion thereof	\$	325.00
Rescue Unit per unit per hour or portion thereof	\$	325.00
Command Unit per unit per hour or portion thereof	\$	300.00
Specialty Team in addition to unit charge	\$	100.00

Standby/Assistance is available for not-for-profit or charitable organizations. Please contact the Picture Butte Firefighters Association for details.

Response Fees for False Alarms (per calendar year)

First response	No Charge
Second response	\$ 325.00
Third or more response	\$ 650.00

Fire Inspections Fees (per report)

During regular business hours	\$ 75.00
After regular business hours	\$ 100.00
Re-inspection for outstanding fire code violations	\$ 100.00

Miscellaneous Fees

File search (investigations and inspections)	\$ 50.00
Occupancy Load Certificates	\$ 75.00
Fire Investigation Services per hour	\$ 75.00
Fire Extinguisher Training per person	\$ 10.00
Emergency Response / Evacuation Planning per plan	\$ 100.00
Fire Drills	No Charge
Display Fireworks Permit application	\$ 50.00
Mileage for out of Town Services per km	\$ 0.50
Public Education - Assessed per request	

*Last Reviewed by Administration in 2021*



**Bylaw No. 885-19 Dog Control Bylaw**

**Specified Penalties**

<b>Section</b>	<b>Violation</b>	<b>Penalty</b>
2.1	Dog Running at Large	\$ 100.00
2.2.1	Dog Bites a Person	\$ 300.00
2.2.2	Dog Injures a Person	\$ 200.00
2.2.3.	Dog Chases a Person	\$ 150.00
2.2.4.	Dog Bites, Barks at or Chases other animals, bicycles, automobiles, wildlife	\$ 100.00
2.2.5	Dog barks, howls excessively or unnecessarily or otherwise creates a disturbance	\$ 100.00
2.2.6.	Dog causes damage to property or other animals	\$ 100.00
2.2.7.	Dog upsets waste receptacles	\$ 100.00
2.3.	Dog transported loose in a vehicle	\$ 200.00
2.4.	Dog Fighting	\$1000.00
2.5.	Dog Defecation	\$ 100.00
2.6.	Dog in Heat	\$ 60.00
2.7.	Dogs left without Ventilation	\$ 100.00
2.8.	Dogs in Restricted Area	\$ 100.00
3.1	Dogs with Communicable Diseases in Public Places	\$ 100.00
3.2.	Failure to Lock, Isolate and report a dog with Rabies	\$ 100.00
4.3.	Failure to obtain an aggressive dog license and comply with requirements thereunder	\$ 200.00
4.3.	Failure to muzzle an aggressive dog	\$ 100.00
4.3.	Failure to leash an aggressive dog	\$ 100.00
4.3.	An aggressive dog running at large	\$ 200.00
4.3	Failure to adequately confine an aggressive dog	\$ 100.00
5.3.1.	Failure to have any electronic identification microchip implanted in an aggressive dog	\$ 150.00
6.1.	Dog not Licensed	\$ 150.00
6.3.	Dog not Wearing License	\$ 25.00
9.3.1.	Interference	\$ 100.00

**LICENCE FEES**

<b>Status of Dog</b>	<b>Annual Fee</b>
1. Any dog that is altered and is marked for Identification	\$ 20.00
2. Any dog that is altered but is not marked for Identification	\$ 20.00
3. Any dog that is not altered but is marked for Identification	\$ 30.00
4. Any dog that is not altered and is not marked for Identification	\$ 30.00
5. Guide Dog or Service Dog pursuant to the Blind Persons' Rights Act, Chapter B-3 or to the Service Dogs Act, Chapter S-7.5	No Charge
6. Police or Law Enforcement Service Dog	No Charge
7. Seniors Dog Licence	No Charge
8. Dog Fancier Licence (in addition to regular license fee per dog)	\$ 30.00
9. Fostering Dog Licence	\$ 30.00
10. Fostering Dog Tag	\$ 20.00
11. Aggressive Dog Licence Fee	\$ 150.00

**OTHER FEES**

12. Impoundment Fees (after 24 hours)	\$ 60.00
13. Aggressive Dog Impoundment Fee	\$ 100.00
14. Care and Sustenance (per day or portion thereof to commence at midnight on the day of impoundment	\$ 9.00
15. Veterinary Fee	Amount Expended
16. Owner drop-off Fee	\$ 10.00
17. Destruction of dog	\$ 300.00 plus GST
18. Appeal to the Aggressive Dog Committee	\$ 200.00
19. Dog Tag Replacement	\$ 5.00

Bylaw No. 872-18 Utility Bylaw

WATER RATES

Non-Residential/Single Dwelling Residential:	\$48.50 per month
Multi-Unit Dwelling:	\$48.50 per month per dwelling unit
Mobile Home Parks:	\$41.23 per month per dwelling unit
Institutional	\$48.50 per month
Overages	\$1.90 per cubic meter
Accounts outside Town limits:	Double the pertinent in-Town rate
Overages outside Town limits:	\$2.10 per cubic meter
<ul style="list-style-type: none"><li>20 cubic meters of water will be supplied to each dwelling unit per month for the monthly fee.</li><li>Overages will be charged according to water usage over and above the 20 cubic meters of water supplied per month.</li><li>For Multi-Unit Dwellings and for Mobile Home Parks the per month fee will be multiplied by the number of dwelling units, regardless of whether the dwelling is occupied or vacant.</li></ul>	
Bulk Water Truck Fill	
Account Set Up and Card	\$25.00
Water per cubic meter	Same rate as Lethbridge County ( <i>Amended by Bylaw No. 897-20</i> )
Water Card Replacement	\$10.00
Raw Water	
Residential	\$125.00 annually
Non Residential	\$330.00 annually
Water Meters	
Meter	Cost including shipping ( <i>Amended by Bylaw No. 897-20</i> )
Meter Horn	Cost including shipping ( <i>Amended by Bylaw No. 897-20</i> )
Removal	\$ 50.00
Repair or Replacement	Cost + 10%
Meter Test	\$125.00
<ul style="list-style-type: none"><li>Repair or replacement charges will only be applied when there is evidence that the meter needs repair or replacement because it has been tampered with.</li></ul>	
Utility Disconnection Fee	
Administrative Disconnect	\$ 25.00
Physical Disconnect	\$ 65.00 (Regular work hours) \$150.00 (Non-regular work hours)
Utility Connect Fee	
Administrative Connect	\$25.00

Bylaw No. 872-18 Utility Bylaw

SEWERAGE RATES

DOMESTIC CUSTOMERS	
Single-Unit Dwelling	\$18.75 per month
Multi-Unit Dwelling	\$18.75 per month per dwelling unit
Mobile Home Park	\$15.94 per month per dwelling unit
INSTITUTIONAL CUSTOMERS	\$107.50 per month
COMMERCIAL 1 CUSTOMERS	\$18.75 per month
Banks and Financial Institutions	
Confectionary	
Liquor Stores	
Medical Clinics	
Meeting Places	
Professional Offices	
Pharmacy	
Places of Worship	
Retail Outlets	
COMMERCIAL 2 CUSTOMERS	\$34.00 per month
Fabrication	
Manufacturing	
Machining	
Welding	
Restaurants	
Fast Food Services	
Vehicle Repair	
INDUSTRIAL CUSTOMERS	\$107.50 per month
Car Washes	
Truck Washes	
Slaughter Houses	
Hotels/Motels	
DISCHARGE LIMITS CHARGE – INSTITUTIONAL, COMMERCIAL & INDUSTRIAL CUSTOMERS	
BOD	\$0.243/Kg
TSS	\$0.340/Kg
COMMERCIAL/ RESIDENTIAL COMBINED CUSTOMERS	\$34.00 per month
Accounts Outside of Town Limits	Double the pertinent in-Town rate

**Bylaw No. 872-18 Utility Bylaw**

**WASTE MANAGEMENT RATES**

GARBAGE COLLECTION: Amended by Bylaw No. 897-20

Residential	\$19.95 per month
Multi-Unit Dwelling	\$14.45 per dwelling unit
Mobile Home Park	\$17.00 per dwelling unit
Commercial	\$26.80 per weekly pickup per month
Mixed Commercial / Residential	\$26.80 per weekly pickup per month
Institutional	\$109.50 per month (2 weekly pickups)
Garbage Bin Replacement	\$100.00 per bin

**UTILITY PENALTIES AND FINE RATES**

Utilities in Arrears	2% per month (26.82% per annum)
Non Sufficient Funds (NSF)	\$45.00 per incident.
Failure to Comply	
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1000.00

TOWN OF PICTURE BUTTE  
BYLAW NO. 915-21

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 872-18 Utility Bylaw".

2. AMENDMENTS:

2.1. Bylaw No. 872-18 shall be amended as follows:

1. Delete:

- a. Schedule "A".
- b. Any references to "Schedule "A"".

2. Add:

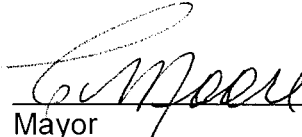
- a. "Service Fees, Rates and Charges bylaw" where there was a previous reference to "Schedule A".

3. COMING INTO EFFECT:

3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021  
READ A SECOND TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021  
READ A THIRD TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE**

**BYLAW # 916-21**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2021 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on May 10, 2021; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2021 total **\$4,676,805.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,309,750.00**, and the balance of **\$1,367,055.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 355,780.00	
Non-Residential	<u>\$ 99,295.00</u>	\$ 455,075.00
Opted Out School Boards:		
Residential / Farmland	\$ 44,275.00	
Non-Residential	<u>\$ 21,780.00</u>	<u>\$ 66,055.00</u>
Total School Requisitions		\$ 521,130.00
Green Acres Foundation (Seniors Requisition)		\$ 28,160.00
FCSS		\$ 13,775.00
Provincial Policing		\$ 65,000.00
Designated Industrial Property (DIP Requisition)		<u>\$ 175.00</u>
<b>Total Requisitions for 2021</b>		<b>\$ 628,240.00</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:


	<b>Assessment</b>
Residential / Farm Land – Public	\$ 134,908,660.00
Residential / Farm Land – Separate	\$ 16,788,840.00
Non-Residential / Linear – Public	\$ 26,952,650.00
Non-Residential / Linear – Separate	\$ 5,912,990.00
Machinery and Equipment – Public	\$ 1,792,060.00
Machinery and Equipment – Separate	<u>\$ 0.00</u>
<b>Total Assessment for 2021</b>	<b>\$ 186,354,380.00</b>

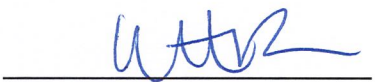
**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,067,966.00	\$151,697,500.00	7.04010
Non-Residential and M&E	\$ 299.089.00	\$ 34,656,880.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 355,780.00	\$134,908,660.00	2.63719
Non-Residential	\$ 99,295.00	\$ 26,952,650.00	3.68403
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 44,275.00	\$ 16,788,840.00	2.63719
Non-Residential	\$ 21,780.00	\$ 5,912,990.00	3.68403
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 28,160.00	\$186,354,380.00	0.15111
<b>FCSS</b>	\$ 13,775.00	\$186,354,380.00	0.07392
<b>Provincial Policing</b>			
Residential / Farmland	\$ 50,385.00	\$151,697,500.00	0.33214
Non-Residential	\$ 14,615.00	\$ 34,656,880.00	0.42171
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 175.00	\$ 2,241,360.00	0.07808
<b>GRAND TOTAL</b>	<b>\$ 1,995,295.00</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.
- Read a first time in Council assembled this 10<sup>th</sup> day of May, 2021
- Read a second time in Council assembled this 10<sup>th</sup> day of May, 2021
- Council unanimously resolved to proceed to third reading this 10<sup>th</sup> day of May, 2021
- Read a third time in Council assembled this 10<sup>th</sup> day of May, 2021

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis



TOWN OF PICTURE BUTTE  
BYLAW NO. 917-21

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH A REGIONAL ASSESSMENT REVIEW BOARD.

WHEREAS, Section 454 of the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto, provides that a Council must by bylaw establish a local assessment review board (LARB) and a composite assessment review board (CARB); and

WHEREAS, Section 455(1) of the *Municipal Government Act*, permits two or more Councils to jointly establish a local assessment review board or a composite assessment review board, or both to have jurisdiction in their respective municipalities; and

WHEREAS, the Council of the Town of Picture Butte wishes to join other area municipalities to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by the respective taxpayers of a Regional Member Municipality; and

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

1. CITATION

- 1.1. The title of this Bylaw shall be the "Regional Assessment Review Board Bylaw".
- 1.2. That the Council of the Town of Picture Butte establish a local assessment review board (LARB) and a composite assessment review board (CARB) by way of establishment of a Regional Assessment Review Board.

2. DEFINITIONS

- 2.1. Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- 2.2. In this bylaw the following terms shall have the meanings shown:
  1. "Board" means the Regional Assessment Review Board;
  2. "CARB" means the Composite Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
  3. "Citizen-at-large" means a person who does not represent a specific organization.
  4. "Chair" means one of the board members jointly designated as chair by the councils as required under Section 455(2) of the Municipal Government Act.
  5. "Designated Officer" means the person appointed by councils to carry out the duties and functions of the clerk of the assessment review board as required under section 456 of the Municipal Government Act;
  6. "LARB" means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
  7. "Member" means a member of the Regional Assessment Review Board;
  8. "MGA" means the Municipal Government Act of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act;
  9. "Regional Member Municipality" means those municipalities who enter into an agreement with the Oldman River Regional Services Commission to jointly establish a Regional Assessment Review Board and who enacts a

bylaw substantially in the form of this bylaw.

### 3. APPOINTMENT OF BOARD MEMBERS

- 3.1. Each Regional Member Municipality may appoint one Citizen-at-large to the Board and may appoint one council member as an alternate to the Board.
- 3.2. In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

### 4. TERMS OF APPOINTMENT

- 4.1. Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.
- 4.2. If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.
- 4.3. A Member may be re-appointed to the Board at the expiration of his/her term.
- 4.4. A Member may resign from the Board at any time on written notice to the Designated Officer and to the Member Municipality to that effect.
- 4.5. The Member Municipality may remove their designated Member at any time.

### 5. PANELS OF THE BOARD

- 5.1. The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:
  1. Three persons selected by the Chair when the Board is acting as a Composite Assessment Review Board or a Local Assessment Review Board; or
  2. A single member selected by the Chair when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.
- 5.2. The Chair may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
  1. The Chair may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
    - a. the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
    - b. the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
    - c. where possible, the Chair shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

### 6. CHAIRPERSON

- 6.1. The Chairperson of a panel:
  1. will preside over and be responsible for the conduct of meetings;
  2. may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
  3. will vote on matters submitted to the panel unless otherwise disqualified.

### 7. JURISDICTION OF THE BOARD

- 7.1. The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite

Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

8. CHAIR

- 8.1. The Chair of the Regional Assessment Review Board shall be one of the Board members as jointly designated by councils of the Member Municipalities as required under Section 455(2) of the *Municipal Government Act*.
- 8.2. The Chair will be designated yearly by a resolution of member councils.

9. DESIGNATED OFFICER(S) OF THE BOARD

- 9.1. The Designated Officer(s) of the Board shall be the Director (or his designate) of the Oldman River Regional Services Commission as appointed by the Town of Picture Butte Council.
- 9.2. The Designated Officer shall:
  1. Act as clerk;
  2. Assist the Board in fulfilling its mandate; and
  3. Prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

10. MEETINGS

- 10.1. Meetings will be held at such time and place as determined by the Board.
- 10.2. The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

11. QUORUM AND VOTING

- 11.1. The quorum for panels of the Board shall be as established by the MGA, namely:
  1. two members of a panel acting as a local assessment review board; and
  2. one member and the provincial member of a panel acting as a composite assessment review board.
- 11.2. All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- 11.3. The majority vote of those Members present and voting constitutes the decision of the Board.
- 11.4. Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member of the panel.

12. CONFLICT OF INTEREST

- 12.1. Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
  1. declares that he or she has a conflict of interest; and
  2. describes in general terms the nature of the conflict of interest.
- 12.2. The Designated Officer shall cause a record to be made in the Minutes of the members' absence and the reasons for it.

- 12.3. For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
1. he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
  2. substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

### 13. PECUNIARY INTEREST

- 13.1. The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- 13.2. A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

### 14. COMMENCEMENT OF APPEALS

- 14.1. A taxpayer may commence an assessment complaint by:
1. mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the 'Matters Relating to Assessment Complaints' regulation and within the time specified in the MGA; and
  2. paying the applicable fee.

### 15. RULES OF ORDER

- 15.1. The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

### 16. ADJOURNMENTS

- 16.1. The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:
1. allowing the Board to obtain a legal opinion or other professional guidance; or
  2. to allow a viewing by the Board of the site in respect of which the appeal is being made.
- 16.2. Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

### 17. NOTICE OF DECISIONS & RECORD OF HEARING

- 17.1. After the hearing of a complaint, the Designated Officer shall:
1. under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
  2. arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.
- 17.2. The Designated Officer will maintain a record of the hearing.

18. DELEGATION OF AUTHORITY

- 18.1. In accordance with its authority under MGA section 203(1) to delegate power, the Town of Picture Butte Council hereby delegates:
1. its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the Designated Officer who will follow the Oldman River Regional Services Commission policy.

19. REIMBURSEMENT OF COSTS


- 19.1. The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.
- 19.2. Each participating Regional Member Municipality is responsible for establish filing fees and administering policies in respect of refunding filing fees in accordance with the Municipal Government Act and the Matters Relating to Assessment Complaints Regulation.


20. COMING INTO EFFECT

- 20.1. Bylaw No. 825-11 Regional Assessment Review Board bylaw is hereby rescinded.
- 20.2. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 10<sup>TH</sup> DAY OF MAY, 2021.  
READ A SECOND TIME THIS 10<sup>TH</sup> DAY OF MAY, 2021.  
READ A THIRD AND FINAL TIME THIS 10<sup>TH</sup> DAY OF MAY, 2021.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO

# TOWN OF PICTURE BUTTE



## BYLAW MANUAL

Updated May 2021

<b>BYLAW NAME &amp; NUMBER</b>
260-62 – Installation of Water Meters
299-64 – Numbering of Properties
395-70 – Numbering of Streets and Avenues
516-79 – Municipal Planning Commission
548-81 – Town Crest
563-81 – Establishment of a Municipal Library
624-85 – Establishment & Operation of a Regional Landfill
689-92 – Business License
690-92 – Dog – AMENDED
717-95 – Joint General Municipal Plan
723-95 – Subdivision Time Extension
724-95 – Municipal Subdivision
725-95 – Municipal Development Authority
727-95 – Intermunicipal Service Agency
734-96 – Safety Codes Act
752-99 – Appeal Board
756-99 – Disposal of Documents
758-99 – FOIP
759-99 – Sharing Municipal Emergency
764-00 – Oldman River Power of Attorney
772-02 – AMFC Water Treatment Plant
786-04 – Municipal Development Plan
797-06 – Unsightly Premises
798-06 – ATCO Gas Franchise
818-09 – Library Board Members Appointment
819-09 – Debenture – Regional Pipeline
832-13 – Number of Councillors
840-15 – Municipal Emergency Management
841-15 – Land Use Bylaw
844-16 – Direct Control Bylaw – Autumn Estates
846-16 – Bylaw to rescind outdated bylaws
848-16 – LUB Amendment – Sea Cans
849-16 – 2016 Tax Rate
850-16 – ATCO Gas Franchise Agreement
851-16 – Animal Regulation
852-16 – Traffic
853-16 – LUB Amendment – Rezoning
855-16 – Procedural Bylaw
857-17 – Rescinding
858-17 – Municipal Borrowing – Line of Credit
861-17 – 2017 Tax Rate Bylaw



862-17 – Tax and Tax Penalty Bylaw
863-17 – Election Bylaw
865-18 – Intermunicipal Development Bylaw
866-18 – Noise Bylaw
867-18 – Tax Installment Payment Plan Bylaw
868-18 – Land Use Bylaw Amendment - Cannabis
869-18 – Council Code of Conduct Bylaw
870-18 – 2018 Tax Rate Bylaw
871-18 – Land Use Bylaw Amendment – Administration and Cannabis Rules
872-18 – Utility Bylaw – AMENDED
875-18 – Cannabis Consumption Bylaw
879-19 – Amending Bylaw for 690-92 & 872-18
880-19 – Chinook Intermunicipal Subdivision and Development Appeal Board
881-19 – Borrowing Bylaw
882-19 – Land Use Bylaw Amendment
883-19 – 2019 Tax Rate Bylaw
884-19 – Municipal Enforcement Officer Bylaw
885-19 – Dog Control Bylaw
888-19 – Municipal Borrowing Bylaw – Line of Credit
889-19 – Municipal Emergency Management Bylaw
890-20 – Rescinding Bylaw for Bylaw 874-18 Maples Estates Bylaw
891-20 – Assessor Bylaw
893-20 – Chief Administrative Bylaw
894-20 – Manufactured Home Community Reporting
895-20 – 2020 Tax Rate Bylaw
896-20 – Amending Bylaw for 862-17 – Tax and Tax Penalty Bylaw
897-20 – Amending Bylaw for 872-18 – Utility Bylaw
898-20 – Municipal Borrowing Bylaw – Line of Credit
899-20 – Amending Bylaw for 851-16 – Animal Regulations Bylaw
900-20 – Amending Bylaw for 797-06 – Unsightly Premises Bylaw
901-20 – Land Use Bylaw Amendment – Electronic Signs
902-20 – Procedural Bylaw
904-20 – Fire Protection Bylaw
906-21 – Economic Development Committee Bylaw
907-21 – Police Advisory Committee Bylaw
908-21 – Health Professional Recruitment and Retention Bylaw
909-21 – Land Use Bylaw Amendment – Rezone 140 Crescent Ave
910-21 – Land Use Bylaw Amendment – Accessory Buildings
911-21 – Land Use Bylaw Amendment – Urban Reserve
912-21 – Urban Hen Bylaw
914-21 – Service Fees, Rates and Charges Bylaw
915-21 – Amending Bylaw for 872-18 Utility Bylaw

916-21 – 2021 Tax Rate Bylaw
917-21 – Regional Assessment Review Board Bylaw

# TOWN OF PICTURE BUTTE



## BYLAW MANUAL

Updated March 2021

<b>BYLAW NAME &amp; NUMBER</b>
260-62 – Installation of Water Meters
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825-11 – Regional Assessment Review Board
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844-16 – Direct Control Bylaw – Autumn Estates
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848-16 – LUB Amendment – Sea Cans
849-16 – 2016 Tax Rate
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851-16 – Animal Regulation
852-16 – Traffic
853-16 – LUB Amendment – Rezoning
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857-17 – Rescinding
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861-17 – 2017 Tax Rate Bylaw
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871-18 – Land Use Bylaw Amendment – Administration and Cannabis Rules
872-18 – Utility Bylaw – AMENDED
875-18 – Cannabis Consumption Bylaw
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900-20 – Amending Bylaw for 797-06 – Unsightly Premises Bylaw
901-20 – Land Use Bylaw Amendment – Electronic Signs
902-20 – Procedural Bylaw
904-20 – Fire Protection Bylaw
906-21 – Economic Development Committee Bylaw
907-21 – Police Advisory Committee Bylaw
908-21 – Health Professional Recruitment and Retention Bylaw
909-21 – Land Use Bylaw Amendment – Rezone 140 Crescent Ave
910-21 – Land Use Bylaw Amendment – Accessory Buildings



TOWN OF PICTURE BUTTE

BY-LAW No. 260/62

A By-Law of the Town of Picture Butte to provide for the installation of Water Meters.

Whereas the Council of the Town of Picture Butte deems it necessary to instal Water Meters in all buildings serviced by the Town water supply;

Now therefore, the Council of the Town of Picture Butte enacts as follows:

That Water Meters be installed in all buildings serviced by the Town water supply.

Read a first time this 14th day of May, 1962.

Read a second time this 14th day of May, 1962.

Read a third time by consent of all councillors present this 14th day of May, 1962, and finally passed.

.....  
Mayor

.....  
Secretary-Treasurer



TOWN OF PICTURE BUTTE

BY-LAW No. 299/64

A By-Law of the Town of Picture Butte to provide for the numbering of all properties in the Town of Picture Butte.

Whereas the Council of the Town of Picture Butte deems it advisable that all properties in the Town of Picture Butte be numbered;

Now therefore, the Council of the Town of Picture Butte enacts as follows:

That all properties in the Town of Picture Butte be numbered;

That said numbers be in accordance to the map attached hereto and marked 'Property Numbers Map No. 1';

That every person who is the registered owner or the purchaser entitled to possession under an agreement of sale of the property shall purchase and instal on the building thereon the proper number;

That in case of default in instalation of said number, the Town of Picture Butte may instal same and charge the owner or purchaser for costs of purchase and installation of same;

That in case of default in payment of the costs of purchase and installation of said property number the Town of Picture Butte may enforce payment by action in a Court of competent jurisdiction or alternately by distress upon and seizure of goods and chattels of the owner or purchaser, or alternately by making the costs in default a charge against or lien upon the property numbered, and in that event the charge so made or lien, shall be subject to the same penalties and shall be collectible by the same procedure as taxes levied by the Town of Picture Butte;

That this by-law shall come into force and take effect on the day of the final passing thereof.

Read a first time this 14th day of December, 1964.

Read a second time this 14th day of December, 1964.

Read a third time by consent of all councillors present this 14th day of December, 1964, and finally passed.

.....*W. Hargre*.....  
Mayor

.....*Arvid J. J. J. J. J.*.....  
Secretary-Treasurer



A By-Law of the Town of Picture Butte which will provide for the numbering of the "streets" and the numbering of the properties in the Town.

Whereas the numbering of streets will assist the general public in the locating of certain areas in the Town

AND WHEREAS the numbering of the properties will further assist the general public

AND WHEREAS the numbering of the properties may be done on a systematic basis in accordance to the street numbers

NOW THEREFORE, the Council of the Town of Picture Butte enacts as follows:

- (a) That a orderly systematic method of property numbering be implemented
- (b) That the previous named streets be numbered as follows:  

High Street	.....	First (1st) Street North
Maple Street	.....	Second (2nd) Street North
Oak Street	.....	Third (3rd) Street North
Centre Street	.....	Fourth (4th) Street North & South
More Street	.....	Fifth (5th) Street North
Lake Street	.....	Sixth (6th) Street North
East Street	.....	Seventh (7th) Street North
Short Street	.....	Eighth (8th) Street North
Angus Drive	.....	Third (3rd) Street South
Clarence Street	.....	Fifth (5th) Street South
Howard Street	.....	Sixth (6th) Street South
- (c) That the following avenues will remain as previously named:  
Gibbons Avenue, Inlet Avenue, Crescent Avenue, Highway Avenue, Cowan Avenue, Watson Avenue, Rogers Avenue, Factory Drive, Centennial Avenue.
- (d) That each property owner or resident be advised of their new address
- (e) That the property owner or resident be instructed to erect or place their ~~house number~~ new house number within sixty (60) days of receipt of their new number

Read a first, second & third time and finally  
Passed at a Council Meeting held Sept 14, 1970

*[Signature]*  
Municipal Administrator  
July 11/80

BYLAW NO. 516/79

WHEREAS Section 20 of the Planning Act, 1977, being Chapter 89 of the Revised Statutes of Alberta and amendment thereto, authorizes the Town of Picture Butte to establish a Municipal Planning Commission.

NOW THEREFORE the Council of the Town of Picture Butte enacts as follows:

1. The Municipal Planning Commission of the Town of Picture Butte is hereby established pursuant to the Planning Act, 1977.
2. This Bylaw may be cited as "Town of Picture Butte Municipal Planning Commission Bylaw".
3. Definitions
  - (a) "Municipality" means The Town of Picture Butte;
  - (b) "Council" means the Municipal Council of the Town of Picture Butte;
  - (c) "Members" means the members of the Municipal Planning Commission appointed pursuant to this Bylaw;
  - (d) "Secretary" means the person appointed by Council to act as secretary of the Municipal Planning Commission;
  - (e) "MPC" means the Municipal Planning Commission of the Town of Picture Butte established by this Bylaw.
  - (f) All other terms used in this Bylaw shall have the same meaning as is assigned to them by the Planning Act, 1977 as amended from time to time.
4. The MPC shall be composed of five (5) persons who are adult residents of the Town of Picture Butte.
5. Appointments to the MPC shall be made by resolution of Council.
6. Appointments to the MPC shall be for a term of 1 year.
7. When a person ceases to be a member of the MPC before the expiration of his term, Council shall appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.
8. The members of the MPC shall elect one of themselves as Chairman and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
9. Each member of the MPC shall be entitled to such remuneration, travelling and living expenses, as may be fixed from time to time by Council and the remuneration, travelling and living expenses shall be paid by the Town of Picture Butte.
10. The Council shall, by resolution, appoint a Secretary who shall be an employee of the Municipality and shall attend all meetings of the MPC but shall not vote on any matter before the MPC.
11. The MPC shall hold meetings as frequently as are necessary on dates to be determined and it may also hold special meetings at anytime at the call of the Chairman.
12. Three of the members of the MPC constitute a quorum.
13. Only those members of the MPC present at a meeting of the MPC shall vote on any matter before it.
14. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole MPC.
15. The MPC may make its orders, decisions, development permits and approvals and issue notices with or without conditions.

16. The Secretary of the MPC shall attend all meetings of the MPC and shall keep the following records with respect thereto:

- (i) the minutes of all meetings,
- (ii) all applications,
- (iii) records of all notices of meetings and of persons to whom they were sent,
- (iv) copies of all written representations to the MPC,
- (v) notes as to each representation,
- (vi) the names and addresses of those making representations at the meeting,
- (vii) the decision of the MPC,
- (viii) the reasons for the decision of the MPC,
- (ix) the vote of the members of the MPC on the decision,
- (x) records of all notices of decision and of persons to whom they were sent,
- (xi) all notices, decisions and orders made on appeal from the decisions of the MPC, and
- (xii) such other matters as the MPC may direct.

17. The Bylaw shall become effective on the date of the third and final reading.

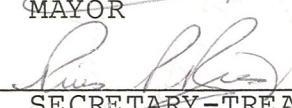
Moved by Councillor Branch that Bylaw # 516/79 be read a first time this 23rd day of July, 1979.  
Carried.

Moved by Councillor Casson that Bylaw # 516/79 be read a second time this 23rd day of July, 1979.  
Carried.

Moved by Councillor Heninger that permission be granted to give third reading to Bylaw # 516/79 at this meeting. Carried unanimously.

Moved by Councillor Watson that Bylaw # 516/79 be read a third time and finally passed this 23rd day of July, 1979. Carried.

  
MAYOR

  
SECRETARY-TREASURER



BYLAW # 548/81

A Bylaw of the Town of Picture Butte to adopt a Town Crest for the Municipality.

WHEREAS Section 145 of the Municipal Government Act, being Chapter 246 of the Revised Statutes of Alberta, 1970, and amendments thereto provides that the Council may by Bylaw, approved by the Lieutenant Governor in Council, adopt a crest or coat of arms for the Municipality, and,

WHEREAS the Act further provides that a person who, without the authority of the Council, assumes or uses the crest or coat of arms or any emblem resembling it is guilty of an offence and liable to a fine, and,

WHEREAS the act further provides that the Council may delegate to the Mayor or other Councillor or appointed official the power to authorize the use of the Municipal Crest.

NOW THEREFORE the Council of the Town of Picture Butte, in the Province of Alberta duly assembled hereby enacts the following:

1. THAT the Town of Picture Butte adopt a Town Crest.
2. THAT the Crest consist of a shield showing the following:
  - (a) Curved lettering representing a chinook arch which announces the arrival of a chinook wind.
  - (b) Landscape lines denoting the Butte, the Coulee at Picture Butte, and the farm land of the region.
  - (c) A wheat stalk on the left and a barley stalk on the right depicting the agricultural area around the Municipality.
  - (d) An irrigation ditch and falling water recognizing the importance of the irrigation system in the centre of which the Town of Picture Butte is located.
3. THAT the Town Crest take the form of the following replica.



4. THAT The Council delegate to the Mayor and Municipal Administrator jointly the power to authorize the use of the Town Crest by any Municipal Organization of the Town of Picture Butte.

5. THAT the crest shall not be placed upon an object which is offered for sale.

6. THAT any person who, without the authority of the Council or its delegate, assumes or uses the Crest of the Town of Picture Butte, or any heraldic emblem so nearly resembling it as to be calculated to deceive, is guilty of an offence and liable on summary conviction to a fine of not more than \$50.00 for every day during which the offence continues.

7. THAT this Bylaw shall become effective upon 3rd and final reading.

MOVED by Councillor Heninger that Bylaw # 548/81 be read a first time this 9th day of March, 1981.  
Carried.

  
ACTING MAYOR

  
MUNICIPAL ADMINISTRATOR

MOVED by Councillor Casson that Bylaw # 548/81 be read a second time this 23rd day of March, 1981.  
Carried.

MOVED by Councillor Watson that Bylaw # 548/81 be read a third time and finally passed this 23rd day of March, 1981. Carried.

  
MAYOR

  
MUNICIPAL ADMINISTRATOR

I hereby certify that the foregoing is a true and correct copy of a Bylaw duly and unanimously passed and enacted by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 30th day of April 1981, at which a quorum was present, as entered in the minutes of the said Council, and that the said Bylaw is still in full force and effect.

Given under my hand and the seal of the Corporation this 23rd day of March, 1981.

  
MUNICIPAL ADMINISTRATOR



ORDER IN COUNCIL

APPROVED AND ORDERED,

*J. Lynch-Staunton*  
LIEUTENANT GOVERNOR

O.C. 416/81

April 22, 1981

EDMONTON, ALBERTA

WHEREAS the Council of the Town of Picture

Butte has by Bylaw No. 548/81 adopted a Crest:

THEREFORE, upon the recommendation of the

Honourable the Minister of Municipal Affairs, the

Lieutenant Governor in Council, pursuant to section

145 of The Municipal Government Act, approves the

TOWN OF PICTURE BUTTE Bylaw No. 548/81 attached

hereto.

*[Signature]*  
CHAIRMAN



## Bylaw No. 563/81

A Bylaw of the Town of Picture Butte in the Province of Alberta to provide for the establishment of a Municipal Library.

WHEREAS the Council of the Town of Picture Butte deems it expedient to propose the establishment of a Municipal Library.

NOW THEREFORE with the authority and under the provisions of Part III of "The Libraries Act" and Amendments thereto, being Chapter 206 of the Revised Statutes of Alberta, 1970, the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

1. There shall be established a Municipal Library for the Town of Picture Butte.
2. The Municipal Library shall be managed, regulated and controlled by a Library Board.
3. The policies of the Municipal Library Board shall be governed by parts III and VII of "The Libraries Act" and Amendments and Regulations pertaining thereto.
4. This Bylaw shall take effect on the date of the final passing thereof.

MOVED BY Councillor Finch that Bylaw # 563/81 be read a first time this 26th day of October, 1981. Carried.

MOVED BY Councillor Butler that Bylaw # 563/81 be read a second time this 26th day of October, 1981. Carried.

MOVED by Councillor Heninger that permission be granted to give third reading to Bylaw # 563/81 at this meeting. Carried Unanimously.

MOVED by Councillor Casson that Bylaw # 563/81 be read a third time and finally passed this 26th day of October, 1981. Carried.

*cc*  
*2. 27. 2. 11*  
\_\_\_\_\_  
MAYOR

*[Signature]*  
\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR



Bylaw # 624/85

Being a Bylaw of the Town of Picture Butte of the Province of Alberta to enter into an agreement with the participating Municipalities within the boundaries of the County of Lethbridge No. 26 Regional Sanitary Landfill Authority, as agreed upon the participating Municipalities from time to time, to provide for the joint establishment and operation of a regional waste system.

WHEREAS Section 113 of the Municipal Government Act, being Chspter M - 26, R. S. A. 1980 and amendments, provides that:

1. A Council may pass a Bylaw authorizing the making of an agreement with the Council of any other Municipality for the joint construction, ownership, maintenance, operation, and use of a public work or for the performance of any other matter considered by all Councils concerned to be a benefit to their respective Municipalities; and
2. The Council may in the Bylaw appoint one or more of its members to be members of a joint committee with members appointed by the Councils of other Municipalities and may delegate to such joint committee power to construct, maintain, control and manage such undertaking, including the power to disburse the proceeds of debentures or other funds used for the purpose of such undertaking; and

WHEREAS in the interest of minimizing potential damage to the environment from improper refuse disposal, the participating local Municipalities wish to establish a regional solid waste system to serve all participating Municipalities;

NOW THEREFORE by virtue of the powers invested in it, the Council of the Town of Picture Butte enacts as follows:

THAT THE TOWN OF PICTURE BUTTE enter into an agreement with the other participating Municipalities within the boundaries of the County of Lethbridge No. 26 Regional Sanitary Landfill Authority for the establishment, construction, ownership, maintenance, operation and use of a regional waste system; and

THAT the appointed Councillor on the Waste Management Committee of the Town of Picture Butte or alternates, be authorized to represent the Town of Picture Butte on a regional solid waste management authority responsible for the establishment, construction, maintenance control and management of the regional solid waste system; and

THAT the MAYOR or his designated alternate and the MUNICIPAL ADMINISTRATOR of the TOWN OF PICTURE BUTTE be authorized to sign the aforementioned agreement with the other participating Municipalities on behalf of the Town; and

THAT the County of Lethbridge No. 26 Sanitary Landfill Authority shall have the power to apply for and receive such grants, debentures or other funds as may be used for the purpose of the regional solid waste system, as per the terms of the aforementioned agreement and amendments thereto.

Moved by Councillor Sosick that Bylaw # 624/85 be read a first time this 9th day of September, 1985. Carried.

Moved by Councillor Anderson that Bylaw # 624/85 be read a second time this 9th day of September, 1985. Carried.

Moved by Councillor Casson that permission be granted to give third reading to Bylaw # 624/85 at this meeting. Carried unanimously.

*meat*

..2..

Moved by Councillor C. Shimek that Bylaw # 624/85  
be read a third time and finally passed this 9th day  
of September, 1985. Carried.

M. W. Hemminger  
MAYOR  
R. B. [Signature]  
MUNICIPAL ADMINISTRATOR

TOWN OF PICTURE BUTTE

BYLAW #689/92

A Bylaw of the Town of Picture Butte to provide for the Licensing and Regulating of Certain Businesses, Trades, Professions and Occupations.

PURSUANT TO SECTION 222 to 235 inclusive of the Municipal Government Act being Chapter M-26 R.S.A., 1980, and amendments thereto, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

THAT:

1. This Bylaw shall be known as the **"Licensing Bylaw"** of the Town of Picture Butte, in the Province of Alberta.

2. In this Bylaw, unless the context otherwise requires:

- a) **"Council"** shall mean the Council of the Town of Picture Butte.
- b) **"Business"** includes every business, trade, profession, industry, occupation, employment or calling and the providing of good and services.
- c) **"Contractor"** means any person who undertakes as principal or **"sub-contractor"** to do, provide, or carry on, within the limits of the Town of Picture Butte any of the following trades or occupations:

The erection, addition, alteration, improvement, repair, renovation, excavating for, paving for, enlargement, demolition, the roofing, tiling, the laying or sanding of floors, concrete work, or masonry of, on or to any building or structure, within the Town, and the installation, repairing, alteration, extending or removing of any heating, gas fitting, steam fitting, plumbing, sheet metal, lighting, electronic, electrical air conditioning, refrigerating or other fixture, apparatus, appliance or thing, in, on or about any building or structure within the Town; the lathing, plastering, preparation of wall for stucco, stuccoing, dry wall plastering painting, decorating or paper hanging, in on or to any building or structure within the Town.

d) **"Hawker or Peddler"**

i) Means a person not being a body corporate and who, whether as principal or agent:

- a) goes from house to house selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise with a permanent place of business in the Town of Picture Butte;
- b) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the Town of Picture Butte;
- c) sells merchandise on the streets or roads or elsewhere than at a building that is his permanent place of business, but

ii) does not include a person selling

- a) meat, fruit or other farm produce that has been produced raised or grown by himself within the Province of Alberta; or
- b) fish of his own catching caught within the Province of Alberta.

- e) **"Home Occupation"** means an occupation, trade, profession or craft carried on in a residence by one or more members of a family actually occupying the said residence as a dwelling and which home occupation has been approved under the provisions of the Picture Butte Land Use Bylaw No. 657.
  - f) **"Resident"** means a person who either resides principally within the Town of Picture Butte, or has established premises within the Town from which to do business.
  - g) **"Non-Resident"** means a person who does not operate the business, trade, profession or occupation from taxable premises within the Town of Picture Butte.
  - h) **"Non-Resident Taxpayer"** means a person who is the owner of taxable premises within the Town of Picture Butte, does not reside within the Town of Picture Butte, and does not operate the business, trade, profession or occupation from taxable premises within the Town of Picture Butte.
  - i) **"Person"** means and includes a firm, a partnership or a body corporate.
  - j) **"Town"** means the Town of Picture Butte or the area contained within the corporate boundaries of the Town of Picture Butte.
  - k) **"Authorized Officer"** means the Administrator for the Town of Picture Butte or his/her duly authorized assistants or agents or such persons as may be appointed by the Administrator of the Town of Picture Butte.
  - l) **"License Inspector"** means the Administrator for the Town of Picture Butte or his/her duly authorized assistants or agents or such persons as may be appointed by the Administrator of the Town of Picture Butte.
  - m) **"License"** means a license issued pursuant to this bylaw.
3. No person shall within, or partly within and partly without, the limits of the Town of Picture Butte, carry on, or be engaged in any business, unless he has paid the prescribed fee as set out in Schedule "A", which forms part of this Bylaw, and holds a valid and subsisting license, issued pursuant to the provisions of this Bylaw.
- a) A license issued after the 30th day of September shall pay a license fee equal to one-half the fee required for the full year.
  - b) A person who commences or carries on a business without obtaining a business license shall be required to pay a fee of two (2) times the fee set out in Schedule "A".
4. Persons granted licenses under this Bylaw shall conform to all regulations and terms herein specified and be subject to inspection at all times by any duly authorized officer of the Town of Picture Butte.
5. Every license issued under this Bylaw shall be made out and delivered or mailed to the Licensee, who shall post same in a conspicuous place on his business premises and however required to do so by any duly authorized officer, shall produce the License for inspection purposes.
6. Every license granted under the provisions of this Bylaw shall terminate on the 31st day of December in the year in which the said license was issued, unless the license has been cancelled or forfeited.



7. No rebate shall be allowed or granted to any Licensee or his assignee in respect of the forfeiture of a license, or on account of non-usage of the rights and privileges hereby granted or for any other reason.
8. Licenses issued under this Bylaw shall not be transferred except to a person who at the same time purchases the business in respect of which the license was issued.
9. All applications for licenses shall be made in writing to the Town Office on a form provided, giving such information and particulars as required thereon.
10. No license shall be issued to a person under the provisions of this Bylaw in a case where a Provincial License is required, unless such person is the holder of the required Provincial License.
11. No license shall be issued until such time as the applicant holds a valid Development Permit of the Town of Picture Butte.
12. No business license shall be issued if the applicant fails to comply with the provisions of or regulations under any Bylaw of the Town of Picture Butte.
13. The License Inspector may at any time revoke or suspend any license issued under the provisions of this Bylaw for failure to comply with any of the conditions or regulations herein.
14. Any person violating any of the provisions of this Bylaw or any other person responsible for such violation shall be liable on summary conviction before a Magistrate or any Justice having jurisdiction therein, to a penalty not exceeding Two Thousand, Five Hundred Dollars (\$2,500.00), exclusive of cost imposed, to imprisonment for any period not exceeding six (6) months unless such fine and costs, including the costs of committal are sooner paid.
15. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.
16. Bylaw #685/91 is hereby rescinded.
17. This Bylaw shall become effective on January 1, 1992.

MOVED by Councillor E. Anderson that Bylaw #689/92 be read a first time this 23rd day of March, 1992. CARRIED.

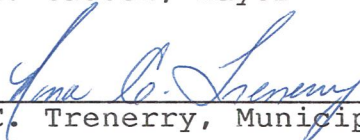
MOVED by Councillor B. Foord that Bylaw #689/92 be read a second time this 23rd day of March, 1992 CARRIED.

MOVED by Councillor B. Vogt that permission be granted to give third reading to Bylaw #689/92 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor A. Vance that Bylaw #689/92 be read a third time and finally passed this 23rd day of March, 1992. CARRIED.



R.L. Casson, Mayor



N.C. Trenerry, Municipal Administrator

BYLAW #689/92

SCHEDULE "A"

	<u>Yearly Resident</u>	<u>Daily Resident</u>	<u>Yearly Non-Resident</u>	<u>Daily Non-Resident</u>	<u>Yearly Non-Resident Taxpayer</u>	<u>Daily Non-Resident Taxpayer</u>
Business	\$50.00	\$25.00	\$200.00	\$50.00	\$50.00	\$25.00
Contractor	\$50.00	\$25.00	\$200.00	\$50.00	\$50.00	\$25.00
Sub-Contractor	\$50.00	\$25.00	\$200.00	\$50.00	\$50.00	\$25.00
Hawker or Peddler	\$50.00	\$25.00	\$200.00	\$50.00	\$50.00	\$25.00
Home Occupation	\$50.00	\$25.00	N.A.	N.A.	N.A.	N.A.
Any other Business not specifically provided for in this Bylaw	\$50.00	\$25.00	\$200.00	\$50.00	\$50.00	\$25.00

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 717/95**

Bylaw No. 717/95 of the Town of Picture Butte is for the purpose of adopting the Town of Picture Butte and County of Lethbridge Joint General Municipal Plan, in accordance with Part 6, Section 139 of the Planning Act, being Chapter P-9 of the Revised Statutes of Alberta, 1980.


**WHEREAS** the councils of the Town of Picture Butte and the County of Lethbridge have decided that a cooperative approach to development in the fringe area of Picture Butte; and

**WHEREAS** the two councils have agreed to a series of subdivision and development guidelines; and

**WHEREAS** policies can be adopted and implemented through a Joint General Municipal Plan;


**NOW THEREFORE BE IT RESOLVED** that the Town of Picture Butte does hereby adopt Appendix A as the Town of Picture Butte and County of Lethbridge Joint General Municipal Plan.

MOVED by Deputy Mayor Bert Foord that Bylaw No. 717/95 be read a first time this 27th day of March, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor


  
\_\_\_\_\_  
Municipal Administrator

MOVED by Councillor Anders that Bylaw No. 717/95 be a read a second time this 12th day of June, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

MOVED by Councillor Nemecek that Bylaw No. 717/95 be read a third time and finally passed this 12th day of June, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 723/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO DELEGATE THE AUTHORITY TO GRANT TIME EXTENSIONS ON SUBDIVISION APPROVALS AND REGISTRATION UNDER SECTION 657(6) OF THE MUNICIPAL GOVERNMENT AMENDMENT ACT, 1995.**

**WHEREAS** the granting of time extensions on subdivision approvals and registration may often be an administrative function;

**AND WHEREAS** the council meets twice per month;

**AND WHEREAS** this may cause an unwarranted delay to applicants;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta, duly assembled enacts as follows:

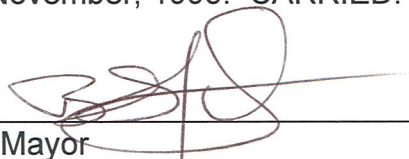
1. The authority to grant time extensions on subdivision approvals and registration under Section 657(6)) of the Municipal Government Amendment Act, 1995, is given to the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for extension to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

MOVED by Councillor H. Nummi that Bylaw #723/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #723/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #723/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #723/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

# TOWN OF PICTURE BUTTE

## BYLAW NO. 724/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

**AND WHEREAS** the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw maybe cited as the Town of Picture Butte Subdivision Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

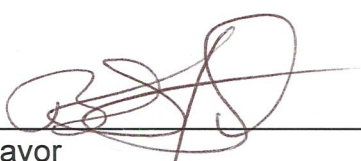
1. For the purpose of this Bylaw, the Subdivision Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for subdivision approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.


MOVED by Councillor H. Nummi that Bylaw #724/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that Bylaw #724/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #724/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor E. Anderson that Bylaw #724/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 725/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL DEVELOPMENT AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Development Authority;

**AND WHEREAS** the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal Land Use Bylaw;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Development Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

1. For the purpose of this Bylaw, the Development Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for development approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

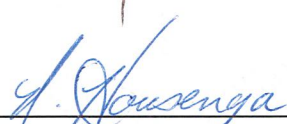
MOVED by Councillor H. Nummi that Bylaw #725/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that Bylaw #725/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that permission be granted to give third reading to Bylaw #725/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #725/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

TOWN OF PICTURE BUTTE

BYLAW NO. 727/95

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN INTERMUNICIPAL SERVICE AGENCY.

WHEREAS the Municipal Government Act, Chapter M-26.1, 1994, and amendments, allows the municipality, by bylaw, to enter into an agreement with one or more municipalities to establish an Intermunicipal Service Agency;

AND WHEREAS the municipality may delegate any of its subdivision authority or development authority powers, duties or functions to the Intermunicipal Service Agency;

AND WHEREAS the Town of Picture Butte may obtain other planning and related services from the Intermunicipal Service Agency as agreed to by contract from time to time;

AND WHEREAS this bylaw may be cited as the Town of Picture Butte Intermunicipal Service Agency Bylaw;

NOW THEREFORE, the Council of the town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

- 1. The Council of the Town of Picture Butte hereby authorizes the municipality to establish the Oldman River Intermunicipal Service Agency.
- 2. The Council of the Town of Picture Butte hereby delegates the following subdivision powers, duties or functions to the Intermunicipal Service Agency:
  - (a) the providing of advice to applicants for subdivision approval;
  - (b) the processing of applications for subdivision;
  - (c) the collecting of all pertinent subdivision approval fees;
  - (d) the requirements of notification of applicants, pertinent agencies, government departments and adjacent land owners;
  - (e) the preparation of draft resolutions for consideration by the Subdivision Authority;
  - (f) the appearance at meetings of the Subdivision Authority as requested to do so from time to time;
  - (g) the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of application was given;
  - (h) the conduction of a site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
  - (i) the finalization and required endorsement of plans of survey or other instruments for registration purposes at Land Titles Office;
  - (j) the conveyance of notification of final subdivision approval to the registered owner and/or the authorized agent;
  - (k) the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the municipality;

Page

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## Bylaw #727/95

- (l) the providing of all pertinent information for consideration at a hearing of the appropriate subdivision appeal board;
- (m) the appearance, for the purpose of providing pertinent information, at a hearing of a subdivision appeal board;
- (n) the performance of any other duties or functions as requested, by resolution of council, and as agreed to by the Intermunicipal Service Agency.

3. This Bylaw comes into effect upon the third and final reading thereof.


MOVED by Councillor H. Nummi that Bylaw #727/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Ruaben that Bylaw #727/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #727/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor V. Nemecek that Bylaw #727/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

# ***TOWN OF PICTURE BUTTE***

## ***BYLAW NO. 734/96***

A Bylaw of the Municipal Corporation of the Town of Picture Butte, in the Province of Alberta, to administer the SAFETY CODES ACT being R.S.A. 1991, Chapter S-0.5 as it relates to the following disciplines:

- (a) building;
- (b) electrical;
- (c) fire;
- (d) gas and plumbing

NOW THEREFORE, the Council of the Town of Picture Butte duly assembled, hereby enacts as follows:

### **SECTION 1 - TITLE**

1.1 This Bylaw may be cited as the “**Safety Codes Bylaw**”.

### **SECTION 2 - GENERAL**

#### **SUBSECTION 2.1 - DEFINITIONS**

2.1.1 Words and phrases used in this Bylaw which are specifically defined in the Act, Regulations under the Act, or in this Bylaw shall bear the meaning expressed in the definition. Words and phrases used in this Bylaw which are not so defined shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw, taking into account the specialized use of terms within the various trades and professions to which the terminology applies.

2.1.2 Whenever used herein:

**Act:** means the Safety Codes Act, R.S.A. 1991, Chapter S-0.5, and any regulations passed pursuant to that Act.

**Administrator:** means an administrator appointed under the Safety Codes Act, R.S.A. 1991, Chapter S-0.5.

**Contractor:** means a Person who contracts with an Owner or his authorized agent to undertake a project, and includes an Owner who contracts with more than one Person for the work on a project or undertakes the work on a project or any part thereof.

**Detached Single Family Dwelling:** means a single family residence that is detached from any other type or residence or occupancy classification.

**Electrical Equipment:** means plant, machinery, equipment, appliances and devices of every kind and description that are used or intended to be used in the generation, transformation, transmission, distribution, delivery or use of electrical power or energy in Alberta.

**Electrical Work:** means the actual installation, repair and maintenance of cables, conduits, wiring, switchgear, transmission lines, transformers, motors and generators used for the projections, transmission and utilization of electrical energy for light and power purposes.



**Gas:** means any gas or compressed gas or any mixture or dilution of gasses and includes any combustible or flammable fluid but does not include any gas, mixture or dilution of gases or combustible or flammable fluid excluded by the regulations from the definition of gas.

**Gas System:** means any equipment or installation used or intended to be used in or in conjunction with the processing, transmission, storage, distribution, supply or use of gas but does not include any thing excluded by the regulations from the definition of gas system.

**Owner:** means any person controlling the property under consideration.

**Permit:** means an authorization in writing by a Safety Codes Officer to perform work regulated by this Bylaw.

**Person:** means an individual, partner, corporation, firm, society, cooperative or other incorporated legal entity and their respective heirs, executors, administrators and assignee.

**Plumbing Equipment:** means

- (i) any piping, equipment, appliance or device used or intended to be used in a plumbing system, and
- (ii) any other thing defined as plumbing equipment in the regulations.

**Plumbing System:** means the whole or any part of a drainage system, a venting system or a water system but does not include any thing excluded by the regulations from the definition of plumbing system.

**Quality Management System:** means on the Quality Management Plans attached hereto and forming part of this Bylaw as Appendices A-D, inclusive.

**Safety Code Officer:** means the person or persons designated by an Administrator and appointed by the Town to act as a Safety Codes Officer or Persons employed by accredited agencies as designated from time to time by a Safety Codes Officer appointed by the Town.

**Town:** means the municipal corporation of the Town of Picture Butte, Alberta

## SUBSECTION 2.2 - SCOPE

- 2.2.1 This Bylaw applies to the administration and enforcement of the Act to the extent described in the Quality Management Plans for the various disciplines forming Appendices A-D to this Bylaw, as amended from time to time.

## SUBSECTION 2.3 - QUALITY MANAGEMENT PLANS

- 2.3.1 The Quality Management Plans attached to and forming part of this Bylaw as Appendices A-D are meant to reflect the intention on the part of the Town to exercise its powers and perform its duties under the Act in good faith. Nothing in any Quality Management Plan shall be taken to derogate from any defence afforded to the Town, its employees, officers or Administrators by virtue of the provisions of the Safety Codes Act as amended from time to time, and without restricting the generality of the foregoing by virtue of Section 12 of the Act.

## SECTION 3 - ADMINISTRATION





- 3.1.1** This Bylaw shall be administered by the Safety Codes Officer or Officers designated by an Administrator and appointed by the Town to act as a Safety Codes Officer as well as by Safety Codes Officers employed by accredited agencies as designated from time to time by the Safety Codes Officer appointed by the Town.
- 3.1.2** Subject to the terms of his or her designation by an Administrator, and to the provisions of the Act, a Safety Codes Officer may administer and enforce the provisions of this bylaw, and is authorized to do all things necessary and necessarily incidental to such administration and enforcement.

## **SECTION 4 - PERMITS AND FEES**

### **SUBSECTION 4.1 - PERMITS**

- 4.1.1** Every Owner shall obtain all required permits or approvals prior to commencing the work to which they relate.
- 4.1.2** An application for a permit shall be made to the Town Office at 420 - 4 Street North, Picture Butte, Alberta.
- 4.1.3** On receipt of an application, a Safety Codes Officer may issue a permit to a person who complies with the requirements of the Act or issue a permit with respect to a thing, process or activity if it complies with the requirements of the Act, and the relevant Quality Management Plan attached hereto and forming part of this Bylaw.
- 4.1.4** A Safety Codes Officer may include terms and conditions in a permit.
- 4.1.5** If a Safety Codes Officer refuses to issue a permit, the Safety Codes Officer shall serve the applicant with a written notice of the refusal.

### **SUBSECTION 4.2 - BUILDING PERMITS**

- 4.2.1** No person shall construct, add to, alter, repair, demolish, reconstruct, relocate any building or excavate for the purpose of constructing a building within the Town until and unless a building permit has been obtained pursuant to this Bylaw. The Town may require that a person installing, or removing a system or equipment for heating, ventilating or air conditioning a building obtain a building permit, and such persons should inquire to the Town Office in this regard before commencing any work.

### **SUBSECTION 4.3 - ELECTRICAL PERMITS**

- 4.3.1** Electrical permits shall be required in accordance with the Quality Management Plan for the Electrical Discipline forming Appendix B of this Bylaw and without limiting the foregoing shall be required by all homeowners performing their own electrical work on their own residence and all electrical contractors performing electrical work within the Town.

### **SUBSECTION 4.4 - FIRE PERMITS**

- 4.4** Permits related to the Fire Code shall be required in accordance with the Quality Management Plan for the Fire Discipline forming Appendix C of this Bylaw and without limiting the generality of the foregoing may be required for outdoor burning or the discharge of fireworks. Certification of occupant loads of buildings, when required under the Act may be applied for at the Town Office.



**SUBSECTION 4.5 - GAS PERMITS**

- 4.51.** Gas permits shall be required in accordance with the Quality Management Plan for the Gas Discipline forming Appendix D of this Bylaw, and without limiting the generality of the foregoing shall be required by all contractors intending to install, renew, remove or change any part of a gas system within the Town.

**SUBSECTION 4.6 - PLUMBING PERMITS**

- 4.6.1** Plumbing permits shall be required in accordance with the Quality Management Plan for the Plumbing Discipline forming Appendix D of this Bylaw and without limiting the foregoing shall be required by all homeowners or contractors intending to install, renew, remove or change any plumbing equipment or a plumbing system within the Town.

**SECTION 5 - CONTRACTORS**

**SUBSECTION 5.1 - GENERAL**

- 5.1.1** Every Contractor shall comply with the requirements of all applicable legislation relating to the construction being performed.
- 5.1.2** All Contractors who perform work authorized by a permit must hold a valid Town Business License with the exception of an Owner undertaking the work on a project on his or her own property.

**SECTION 6 - INSPECTION MANDATE**

**SUBSECTION 6.1 - GENERAL**

- 6.1.1** The Town and its Safety Codes Officers may perform any inspections authorized under the Act including but not necessarily limited to those inspections referred to in the Quality management Plans attached as Appendices A-D inclusive of this Bylaw.

**SUBSECTION 6.2 - POLICY CONSTRAINTS ON THE SCOPE OF INSPECTION**

- 6.2.1** Subject to any obligations it may have under the Act, Council may from time to time, taking into account social and economic factors, including the resources available to it and the various demands made upon those resources by the residents of the Town, make planning and policy decisions respecting the level of allocation of resources to the administration which may affect the operational performance in regard to the frequency of an extent to which inspections are made under this Bylaw.

**SUBSECTION 6.3 - NO WARRANTY ON INSPECTIONS**

- 6.3.1** Any inspections undertaken by Safety Codes Officers or the Town are to be undertaken in good faith in an effort to administer and enforce the Act, but are in no way or under any circumstances to be taken to be a guarantee or warranty of compliance with the Act or any related legislation.

**SECTION 7 - RESPONSIBILITIES AND OBLIGATIONS**

**SUBSECTION 7.1 - GENERAL RESPONSIBILITIES**

- 7.1.1** No Contractor or Owner shall deviate from the plans and specifications forming a part of a permit, or omit or fail to complete, work required by the said plans and specifications accepted by the Town, without first having obtained in writing the



approval of the Town to do so, and subject to the above, any person who acts pursuant to a permit shall do so in accordance with the Act and shall comply with the Act in any terms or conditions contained in the permit.

- 7.1.2** No Owner or Contractor involved in any work for which a permit is required shall cause, allow or maintain any unsafe condition.
- 7.1.3** Any Owner or Contractor who knowingly submits false or misleading information contravenes this Bylaw.
- 7.1.4** Every Owner shall allow a Safety Codes Officer to enter any building or premises at any reasonable time for the purpose of administering and enforcing this Bylaw.
- 7.1.5** Every Owner shall, prior to commencing the work, give notice in writing to the appropriate Safety Codes Officer of
  - a) the name, address and telephone number of
    - (i) the Contractor or other Person in charge of the work and
    - (ii) any inspection or testing agency engaged to monitor the work, and;
  - b) any change in or termination of employment of such Persons during the course of the construction as soon as such change or termination occurs.
- 7.1.6** Every Owner shall given notice in writing to the appropriate Safety Codes Officer
  - a) as soon as any change in ownership or change in the address of the Owner occurs prior to the completion of the work for which a permit was issued;
  - b) prior to Occupying any portion of the building if it is to be occupied in stages.
- 7.1.7** Every Owner shall give such other notice to the appropriate Safety Codes Officer as may be required by the provisions of this Bylaw.
- 7.1.8** Every Owner shall make, or have made at his own expense, the tests or inspections necessary to provide compliance with this bylaw and shall promptly file a copy of all such test or inspection reports with the appropriate Safety Codes Officer.
- 7.1.9** Every Owner shall provide an up-to-date Real Property Report, prepared by a registered land surveyor, of the building site when and as required by a Safety Codes Officer.
- 7.1.10** Every Owner is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of undertaking work for which a permit was required,
- 7.1.11** Should occupancy occur prior to the completion of any work being undertaken that requires a permit, every Owner shall ensure that no unsafe condition exists or will exist because of work being undertaken or not completed.
- 7.1.12** When required by a Safety Codes Officer, every Owner shall provide a letter to certify compliance with this Bylaw and with an required permits.
- 7.1.13** Neither the issuance of a permit nor the carrying out of inspections made by a Safety Codes Officer shall in any way relieve the Owner of a building from full responsibility for carrying out the project or having the project carried out in accordance with this Bylaw, and any other relevant legislation.

- 7.1.14** The issuance of permits, or the carrying out of any inspections pursuant to this Bylaw shall in no way be construed as a warranty by the Town of any plans, designs or construction.
- 7.1.15** When a building or part thereof, or where a thing, process or activity to which this Act applies is in an unsafe condition, the Owner or Contractor shall forthwith take all necessary action to put the building, thing, process or activity in a safe condition.
- 7.1.16** An Owner or person designated in the regulations shall, if required by the regulations, forthwith report to the Town anything, process or activity under the administration of the Town pursuant to this Act where there is an unsafe condition, accident or fire.

## **SECTION 8 - AUTHORITY OF THE TOWN**

### **SUBSECTION 8.1 - GENERAL**

- 8.1.1** Subject to the provisions of the Act, a Safety Codes Officer may enter any building or premises at any reasonable time for the purpose of administering or enforcing this Bylaw, or if there is reason to believe an unsafe condition exists.
- 8.1.2** A Safety Codes Officer may exercise any and all powers given to him or her under the Act, and without restricting the generality of the foregoing is empowered to order:
- a) a Person who contravenes the Act or this Bylaw to comply with the provision thereof within the time period specified;
  - b) work to stop on the building or any part thereof if such work is proceeding in contravention of the Act or this Bylaw, or if there is deemed to be an unsafe condition;
  - c) the removal of any building or part thereof constructed in contravention of this Bylaw;
  - d) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed, and
  - e) correction of any unsafe condition, or contravention of the Act or this Bylaw.
- 8.1.3** A Safety Codes Officer shall require any Owner to submit, in addition to any information otherwise required, an up-to-date Real Property Report, prepared by a registered land surveyor, which shall contain sufficient information regarding the site and the location of any building:
- a) to establish before construction begins that all the requirements of this Bylaw related to this information will be complied with, and
  - b) to verify that, upon completion of the work, all such requirements have been complied with.
- 8.1.4** When a Safety Codes Officer has received a completed application for a permit and is satisfied that the project described in the application meets the requirements of the Act and this Bylaw, the Safety Codes Officer may issue a permit to the applicant and may impose such conditions on the permit, as he or she deems necessary to ensure compliance with the Act and this Bylaw.
- 8.1.5** A Safety Codes Officer may issue a written variance with respect to any thing, process or activity to which the Act applies if the Safety Codes Officer is of the opinion

that the variance provides approximately equivalent or greater safety performance with respect to persons and property as that provided for by the Act. A Safety Codes Officer may include terms and conditions in the variance.

- 8.1.6** A Safety Codes Officer may issue a permit at the risk of the Owner, with conditions, to ensure compliance with this Bylaw and any other applicable legislation, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted by a Safety Codes Officer.
- 8.1.7** A Safety Codes Officer in his or her absolute discretion, may issue a permit for the whole project prior to work commencing thereon, conditional upon the submission, of additional information not available at the time of issue.
- 8.1.8** A Safety Codes Officer may refuse to issue any permit:
- a) whenever information submitted is inadequate to determine compliance with the provisions of the Act and this Bylaw;
  - b) whenever incorrect information is submitted;
  - c) that would authorize any building, work or occupancy that would not be permitted by this Bylaw, or
  - d) that would be prohibited by any other legislation and/or regulation.
- 8.1.9** A Safety Codes Officer may suspend or cancel a permit upon written notice to the permit holder where:
- a) there is a contravention of any condition under which the permit was issued;
  - b) the permit was issued in error;
  - c) the permit was issued on the basis of incorrect information, or
  - d) the thing, process or activity for which the permit was issued does not comply with the Act or this Bylaw.
- 8.1.10** A Safety Codes Officer may suspend or cancel a permit if the Safety Codes Officer, on reasonable and probable grounds, is of the opinion that the permit holder does not comply with this Act when acting pursuant to the permit or that the thing, process or activity does not comply with this Act. The Safety Codes Officer shall serve written notice of the suspension or cancellation on the permit holder and shall also notify an Administrator.
- 8.1.11** When immediate measures must be taken to avoid an imminent danger of fire or risk of accident, the Town may take such action as is appropriate, without notice and at the expense of the Owner.

## **SECTION 9 - FEES**

### **SUBSECTION 9.1 - GENERAL**

- 9.1.1** Fees shall be charged by the Town for services rendered and the application for or issuance of any permits pursuant to the Fee Schedule established or negotiated by Council from time to time.



**SECTION 10 - VIOLATIONS AND PENALTIES**

**SUBSECTION 10.1 - VIOLATIONS**

**10.1.1 Any person:**

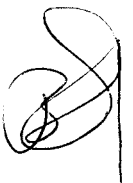
- a) who interferes with or in any manner hinders a Safety Codes Officer in the exercise of his or her duties under this Act or this Bylaw;
- b) who knowingly makes a false or misleading statement to a Safety Codes Officer either orally or in writing;
- c) who fails to prepare, submit or retain any information that he has required by the Act or this Bylaw to prepare, submit or retain;
- d) who contravenes the Act;
- e) who contravenes a condition in a permit, certificate or variance;
- f) who contravenes an Order; or
- g) who fails to carry out any action required in an Order to be taken within the time specified in it, is guilty of an offence.

**SUBSECTION 10.2 - PENALTIES**

**10.2.1 A person who is guilty of an offence is liable**

- a) for a first offence
  - (i) to a fine of not more than \$15,000.00 and, in a case of a continuing offence, to a further fine of not more than \$1,000.00 for each day during which the offence continues after the first day or part of a day; or
  - (ii) imprisonment for a term not exceeding 6 months,or to both fines and imprisonment, and
- b) for a 2nd or subsequent offence
  - (i) to a fine of not more than \$30,000.00 and, in the case of a continuing offence, to a further fine of not more than \$2,000.00 for each day or part of a day during which the offence continues after the first day, or
  - (ii) to imprisonment for a term not exceeding 12 months,or to both fines and imprisonment.

**10.2.2 If a person is guilty of an offence under this Act, the court may, in addition to any other penalty imposed or order made, order the person to comply with this Act or any order, permit certificate or variance, or all or anyone or more of them, as the case requires.**



**SECTION 11 - APPEALS**

**SUBSECTION 11.1 - GENERAL**

**11.1.1 Any person:**

- a) to whom an Order is issued by a Safety Codes Officer;
- b) whose application for a permit has been refused by a Safety Codes Officer; or
- c) whose permit has been suspended or cancelled by a Safety Codes Officer, may appeal the Order, refusal, suspension or cancellation, as the case may be, to the extent and in the manner provided for in the Act

**SUBSECTION 12 - RESCINDING BYLAWS**

**12.1.1 This Bylaw hereby rescinds Bylaw #711/94.**

**SUBSECTION 13 - EFFECTIVE DATE**

**13.1.1 This Bylaw comes into force and effect upon the final reading thereof.**

MOVED by Councillor S. Koenen that Bylaw #734/96 be read a first time this 9th day of September, 1996. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #734/96 be read a second time this 9th day of September, 1996. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #734/96 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #734/96 be read a third time and finally passed this 9th day of September, 1996. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 752/99**

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

AND WHEREAS the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires that municipality to adopt a bylaw to establish a municipal subdivision and development appeal board or an intermunicipal subdivision and development appeal board;

AND WHEREAS the Council of the town of Picture Butte wishes to join other area municipalities to establish an intermunicipal subdivision and development appeal board;

AND WHEREAS an intermunicipal subdivision and development appeal board is authorized to render decisions on appeals resulting from decisions of a subdivision authority or a development authority in accordance with the Provincial Land Use Policies, the Subdivision and Development regulation, the local land use bylaw and statutory plans;

NOW THEREFORE, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

1. This bylaw may be cited as the South Country Intermunicipal Subdivision and Development Appeal Board Bylaw.
2. The Town of Picture Butte is authorized to enter an agreement with:  
The Town of Coaldale  
The Town of Coalhurst  
The Village of Nobleford  
The Village of Barons  
To establish the Intermunicipal Subdivision and Development Appeal Board.
3. DEFINITIONS:
  - (a) **Act** means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - (b) **Member Municipality** means the municipality in the Province of Alberta who has entered the agreement referred to in section 2.
  - (c) **Council** means the Council of the Town of Picture Butte.
  - (d) **Intermunicipal Subdivision and Development Appeal Board** means the board established by agreement to act as the municipal appeal board.
  - (e) **Member** means a member of the Intermunicipal Subdivision and Development Appeal Board appointed in accordance with this bylaw.
  - (f) **Secretary** means the person or persons authorized to act as secretary for the Intermunicipal Subdivision and Development Appeal Board by the member municipality within which the appeal is held.
  - (g) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**
4. For the purpose of this bylaw, the Intermunicipal Subdivision and Development Appeal Board shall be composed of not more than five persons who are appointed by the councils who are members.
5. Appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made by resolution of the council of the member municipality and shall consist of either two members of council or one member of council and one member at large.
6. The Intermunicipal Subdivision and Development Appeal Board will consist of the two appointed members from the municipality in which the appeal is held and three councillors from the other member municipalities.
7. Three members of the Intermunicipal Subdivision and Development Appeal Board constitute a quorum.
8. For the first term, appointments will be until the municipal organization meeting of 2001, after which, appointments to the Intermunicipal Subdivision and Development Appeal Board shall be made for a term of the organization meeting three years ahead.

9. The members of the Intermunicipal Subdivision and Development Appeal Board shall elect one of themselves as chair for the purpose of a hearing. The chair may be a member from the municipality in which the appeal is located.
10. Each member of the Intermunicipal Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by the councils; and the remunerations, travelling and living expenses shall be paid by the municipality in which the appeal is located.
11. The council in the municipality in which the appeal is located may, by resolution, appoint a secretary who may be an employee of the municipality and shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Intermunicipal Subdivision and Development Appeal Board.
12. The Intermunicipal Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Intermunicipal Subdivision and Development Appeal board, and it may also hold special meetings at any time at the call of a member municipal council.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Intermunicipal Subdivision and Development Appeal board.
14. The Intermunicipal Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
15. The Intermunicipal subdivision and Development Appeal Board may make rules to govern its hearings.
16. Members of the Intermunicipal Subdivision and Development Appeal Board shall not be members of a municipal subdivision authority or development authority in the municipality in which the appeal is located.
17. When a person ceases to be a member of the Intermunicipal Subdivision and Development Appeal Board before the expiration of his/her term the applicable council may, by resolution, appoint another person for the unexpired portion of that term.
18. The secretary of the Intermunicipal Subdivision and Development Appeal Board shall attend all meetings of the Intermunicipal Subdivision and Development Appeal Board and shall keep the following records of appeals related to their municipality with respect to:
  - (a) the minutes of all meetings;
  - (b) records of all notices of meetings and of persons to whom they were sent;
  - (c) copies of all written representations to the Intermunicipal Subdivision and Development Appeal Board;
  - (d) notes as to each representation;
  - (e) the names and addresses of those making representations at the meeting;
  - (f) the decision of the Intermunicipal Subdivision and Development Appeal Board;
  - (g) the reasons for the decision of the Intermunicipal Subdivision and Development Appeal Board on the decision;
  - (h) the vote of the members of the Intermunicipal Subdivision and Development Appeal Board on the decision;
  - (i) records of all notices of decision and of persons to whom they were sent;
  - (j) all notices, decisions and orders made on appeal from the decision of the Intermunicipal Subdivision and Development Appeal Board;
  - (k) such other matters as the Intermunicipal Subdivision and Development Appeal Board may direct.
19. This bylaw comes into effect upon third and final reading thereof.

MOVED by Deputy Mayor V. Nemecek that Bylaw #752/99 be read a first time this 22nd day of March, 1999. Carried.

MOVED by Councillor B. Rudelich that Bylaw #752/99 be read a second time this 22nd day of March, 1999. Carried.

MOVED by Councillor Koenen that permission be granted to give third reading to Bylaw #752/99 at this meeting. Carried Unanimously.

MOVED by Mayor E. Anderson that Bylaw #752/99 be read a third time and finally passed this 22nd day of March, 1999. Carried.



Mayor



Municipal Administrator

# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 756/99**

Bylaw of the Town of Picture Butte in the Province of Alberta, pursuant to provisions in the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, to provide regulations and procedures for the retention and disposal of Municipal documents.

**WHEREAS** it is the desire of the Council of Town of Picture Butte to provide for regulations with respect to the retention and disposal of Municipal documents including correspondence, records, receipts, vouchers, instruments and other papers kept by the Municipality;

**AND WHEREAS** it is the desire of the Town of Picture Butte to establish the necessary authority to release Municipal documents to the Alberta Archives on either a permanent loan or retention basis;

**AND WHEREAS** the authority for such regulations and authorities must be consistent with Federal or Provincial Statutes and regulations:

**NOW THEREFORE** the Municipal Council of the Town of Picture Butte, duly assembled, enacts as follows:

### **PART I – TITLE, DEFINITIONS AND SYMBOLS**

#### **Section 1**

This Bylaw may be cited as ***“The Records Retention Bylaw”*** of the Town of Picture Butte.

#### **Section 2**

In this Bylaw, unless the context otherwise requires, the word, term or expression:

- (a) ***“Auditor”*** shall mean the auditor(s) of the Municipality as established annually by resolution of Council.
- (b) ***“Solicitor”*** shall mean the Municipal Solicitor as appointed or engaged from time to time by Council.
- (c) ***“Official”*** shall mean the Municipal Administrator of the Town of Picture Butte or a designate duly appointed by Council or by the Municipal Administrator.
- (d) ***“Committee”*** refers to the Records Retention Committee, which shall be comprised of the members of the General Government Services Committee and the Municipal Administrator.
- (e) ***“Records”*** shall mean all of the ledgers, receipts, vouchers, instruments, maps, rolls or other documents, records and papers held by the Town of Picture Butte in any form.
- (f) ***“Transitory Records”*** shall mean records that have only short-term, immediate or no value to the Municipality and that the Municipality will not need again in the future.

#### **Section 3**

When used in this Bylaw and in the Records Retention and Disposal Policy of the Records Management Systems established consistent with this Bylaw, symbols shall be used to designate the form of retention or disposal as follows:



D	Destroy
P	Permanent Retention
A	Archives
I	Immediate

## **PART II – RECORD RETENTION AND DESTRUCTION**

### **Section 4 - Retention and Destruction**

Where, in this Bylaw and in the Town of Picture Butte Policy & Procedure Manual, it is provided that particular records of the Municipal Corporation, or of a local Board accountable to the Corporation thereof, shall be:

(a) **Destroyed**

Such records shall be destroyed without any copy thereof being retained after the suggested disposition period outlined in the Records Retention and Disposal Policy.

(b) **Permanent**

Such original records shall be preserved and never destroyed.

(c) **Archives**

Such records shall be released to either the Provincial Archives or other local archives if approved by Council, or the Committee. A copy of the records transferred shall be permanently retained on file if deemed necessary by Council or the Committee. Prior to Council approval, the Official shall review the documents to ensure that the release of the documents does not contravene the provisions of the ***Municipal Government Act, The Freedom of Information and Protection of Privacy Act***, or any other legal obligation binding on the Municipality.

(d) **Immediate**

Such records shall be destroyed after they are used and are no longer of value.

### **Section 5 - Discretion**

The Official shall always have a discretion to retain records longer than the period provided for in this Bylaw and shall do so where the Official deems it appropriate and shall do so where the Official has received any indication that there is or may be any civil action involving any of the said records. Such decisions to retain the records longer than the period provided for herein shall be recorded in the records retention index.

### **Section 6 - Records of Retention and Destruction**

(a) When records have been destroyed under this Bylaw and in the Town of Picture Butte Policy & Procedure Manual, the Official shall so certify in writing. Such certificate shall refer to the relevant schedule and item of this Bylaw and the Schedule of Retention and Disposal Policy and shall identify the records destroyed.

(b) The Official shall keep an index of:

- (i) Records destroyed
- (ii) Records referred to Archives
- (iii) Municipal Records held at other archival centres



- (c) Where records are destroyed under this Bylaw and the Schedule of Retention and Disposal Policy, the proper and complete destruction thereof is the responsibility of the Official.
- (d) The Council shall authorize all records destroyed by resolution and the destruction shall be carried out in the presence of one (1) witness. The Official shall destroy the records and shall provide a statement in writing attesting to the date, time and place of the destruction of the records, together with a detailed list of the records destroyed and also the name of the person who witnessed the destruction. This statement of disposition should be presented to the Council and permanently filed in the office records.
- (e) Election material that has been locked in the ballot boxes can be destroyed in accordance with the provisions of the Local Authorities Election Act.

## **Section 7 - Transitory Records**

### **(a) Categories of Transitory Records**

- (i) **Temporary Information** includes telephone messages, routing slips, post-it notes, opened envelopes except where retention is required to verify mailing date, memos, notes and messages (either paper, voice or electronic) where the information has only immediate or very short-term value.
- (ii) **Duplicates** are exact reproductions of a master document. Common examples are photocopies, or extra copies printed from a computer system or by a commercial printer. After the master version of a document is filed, the duplicates may be discarded.

A duplicate that is altered by adding handwritten comments, notes or initials to it, creates a new record. If this added information will have future value to the Municipality, the new document shall be filed.

- (iii) **Draft Documents and Working Materials** includes source materials used in the preparation of documents and earlier versions of final documents. Drafts and working materials, whether paper or electronic, that do not have long-term value may be discarded as transitory records.

Exemptions include drafts and working papers related to the preparation of legislation, legal documents, budgets, policies, standards, guidelines and procedures if the Municipality is primarily responsible for their creation and the information might have some future value to the Municipality.

- (iv) **Publications** include books, magazines, periodicals, pamphlets, brochures, journals, newspapers and software documentation obtained from sources outside the Municipality.

Exemptions include master copies of publications produced by or for the Municipality.

- (v) **Direct Mail** includes solicited or unsolicited information received by the Municipality from organizations or individuals advertising their products or services.
- (vi) **Blank Information Media** includes anything that was created or acquired for the purpose of collecting or storing information, but which has not been used and has become obsolete.

(b) **Process For Transitory Records Disposal**

Once transitory records have been used to perform the required activities and the records have no further value, they may be destroyed without prior Council approval. The method of disposal of transitory records:

- (i) Confidential paper transitory records shall be shredded on-site;
- (ii) Confidential transitory records on disks shall be physically destroyed;
- (iii) Confidential transitory records on computer disk drives shall be securely disposed of.
- (iv) All other transitory records shall be either shredded or physically disposed of.

**PART III – GENERAL**

**Section 8 - Committee**

The Committee shall meet as frequently as it deems necessary and shall be chaired by the General Government Services Committee Chairman. The Committee shall work on the basis of consensus; however, where there is disagreement the decision of either the Town's solicitor or auditor shall be followed. It shall be the duty of the Committee to keep the Municipal Council periodically informed as to its activities.

**Section 9 – Records Retention Schedules**

A Records Retention Schedule shall be included in the Records Retention and Disposal Policy. Council shall adopt the Records Retention and Disposal Policy by resolution and it may be amended upon recommendation of the Committee and an amending resolution of Council.

**Section 10 – Storage**

It shall be the responsibility of the Committee to provide for policies regarding security and storage of all Municipal documents. Such policies shall be administered by the official of the Municipal documents.

**PART IV – ENACTMENT**

This Bylaw shall come into effect on the date of the final passing thereof.

**MOVED** by Councillor S. Ruaben that Bylaw # 756/99 be read a first time this 12th day of July, 1999. **CARRIED.**

**MOVED** by Councillor S. Koenen that Bylaw # 756/99 be read a second time this 12th day of July, 1999. **CARRIED.**

**MOVED** by Councillor R. Oliver that permission be granted to give third reading to Bylaw # 756/99 at this meeting. Carried Unanimously.

**MOVED** by Councillor A. Vance that Bylaw # 756/99 be read a third time and finally passed this 12th day of July, 1999. Carried.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



## **TOWN OF PICTURE BUTTE**

### **BYLAW NO. 758/99**

**WHEREAS**, pursuant to Section 89 of the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, C.F-18.5, the Town of Picture Butte must designate a person or group of persons as the head of the Municipality for the purposes of the Act;

**ABD WHEREAS**, pursuant to Sections 87 and 89 of the *Freedom of Information and Protection of Privacy Act*, the Town of Picture Butte may set any fees payable to the Municipality for services under the Act and Regulations;

The Town of Picture Butte Council enacts:

#### **PART 1 - PURPOSE, DEFINITIONS AND INTERPRETATION**

##### **1. PURPOSE**

- a. The purpose of the Bylaw is to establish the administrative structure of the Town of Picture Butte in relation to the *Freedom of Information and Protection of Privacy Act*, and to set fees thereunder.

##### **2. DEFINITIONS**

- a. In this Bylaw, unless the context otherwise requires:
  - i. “**ACT**” means the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, C.F-18.5.
  - ii. “**APPLICANT**” means a person who makes a request for access to a record under section 7(1) of the Act.
  - iii. “**MUNICIPAL ADMINISTRATOR**” means the person appointed as the Chief Administrative Officer of the Town of Picture Butte, and includes any person who holds the position of Municipal Administrator in an Acting capacity.
  - iv. “**PROVINCE**” means the Province of Alberta.
  - v. “**TOWN**” means the Town of Picture Butte and includes any board, committee, commission, panel, agency or corporation that is created or owned by the Town of Picture Butte and all the members or officers of which are appointed or chosen by the Town of Picture Butte

##### **3. INTERPRETATION**

- a. The marginal notes and headings in this Bylaw are for reference purposes only.

#### **PART II – DESIGNATED HEAD**

##### **4. DESIGNATED HEAD**

- a. For the purpose of the Act, the Municipal Administrator is designated as the Head of the Municipality.

#### **PART III – FEES**

##### **5. FEES**

- a. Where an Applicant is required to pay a fee for services, the fee payable is in accordance with the *Free of Information and Protection of Privacy Regulations AR 200/95*, as amended from time to time or any successor Regulation that sets fees for requests for information from the Province.

## PART IV – GENERAL

### 6. EFFECTIVE DATE

- a. This Bylaw comes into effect on October 1, 1999
- b. Where a request for information was given and not disposed of before the coming into force of this Bylaw, the request is deemed to be a request made on October 1, 1999, under the provisions of the Act.

MOVED by Councillor S. Ruaben that Bylaw #758/99 be read a first time this 27th day of September, 1999. CARRIED.

MOVED by Councillor B. Rudelich that Bylaw #758/99 be read a second time this 27<sup>th</sup> day of September, 1999. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #758/99 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor R. Oliver that Bylaw #758/99 be read a third time and finally passed this 27<sup>th</sup> day of September, 1999. CARRIED.

*Deputy*   
Mayor

  
Municipal Administrator

# **TOWN OF PICTURE BUTTE**

## **BYLAW NO. 759/99**

### **A Bylaw of the Town of Picture Butte In the Province of Alberta, to Authorize Area Resource Sharing During Municipal Emergency In South-West Alberta**

**WHEREAS**, pursuant to Section 7 of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

**AND WHEREAS**, the Town of Picture Butte wishes to provide assistance to neighbouring and area municipalities and to enter into an agreement with these municipalities to provide resource sharing during municipal emergency responses.

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF PICTURE BUTTE, DULY ASSEMBLED ENACTS AS FOLLOWS:**


1. The Town of Picture Butte will enter into an agreement with neighbouring and area local governments to provide resource sharing during municipal emergencies.
2. That the Mayor and Municipal Administrator be authorized to enter into any agreement with neighbouring and area local governments to provide resource sharing during municipal emergencies.
3. This Bylaw shall come into force upon the agreement being approved by the Mayors and Reeves of Southwestern Alberta.

MOVED by Councillor S. Koenen that Bylaw #759/99 be read a first time this 12th day of October, 1999. CARRIED.

MOVED by Deputy Mayor V. Nemecek that Bylaw #759/99 be read a second time this 12th day of October, 1999. CARRIED.

MOVED by Councillor B. Rudelich that permission be given for third reading of Bylaw #759/99 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor A. Vance that Bylaw #759/99 be read a third time and finally passed this 12th day of October, 1999. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

99-39

## **EMERGENCY SERVICES MUTUAL AID AGREEMENT**

**BETWEEN** the incorporated municipalities listed below:

1. The City of Lethbridge
2. County of Lethbridge #26
3. Town of Coaldale
4. Town of Picture Butte
5. Village of Nobleford
6. Village of Barons
7. Town of Coalhurst

**WHEREAS** a major emergency or disaster could affect any municipality to such a degree that local municipal resources would be inadequate to cope with the situation;

**AND WHEREAS** the above-named municipalities agree as follows:

1. Any one of the parties to the Agreement, it and when in need of help to combat a major incident or disaster, may request mutual aid from one or more of the other parties, subject to the following conditions:
  - a) Any calls for aid shall be made by an elected representative or council appointed designate of the municipality concerned, and must be directed to an elected representative or a council appointed designate of the municipality(ies) whose assistance is being sought; except that:
    - 1) Calls for fire fighting equipment and medical aid or rescue may be made by the Fire Chief or an elected representative of the municipality concerned;
    - 2) Calls for fire, medical or rescue equipment may be made to the Fire Chief or an elected representative of the municipality whose assistance is being sought;
    - 3) Any actions taken by a Fire Chief shall be reported to an elected representative as soon as possible

Requests for mutual aid shall be restricted to municipally-owned equipment and municipal employees.

- b) On receipt of a call for aid - whether general, or specific as to resources required - the extent of the assistance given will be at the discretion of each responding municipality, having regard to its own local situation at the time.
- c) Any cost incurred in connection with the mobilization, movement and deployment of mutual aid resources, will be borne by the municipaity(ies) receiving the aid.

*[Handwritten signature]*

2. This agreement comes into force on January 1<sup>st</sup>, 1999, and shall be reviewed yearly thereafter. At the time of review, changes or additions may be introduced by way of an amendment that shall become part of the Agreement upon ratification by all parties.
3. Any one of the participating municipalities may withdraw from the Agreement by giving sixty (60) days notice of termination to the other parties. After the withdrawal of any party, the Agreement shall continue in force between the remaining parties.

**EXECUTED** on behalf of the participating municipalities, by their authorized signing officer.

1. **City of Lethbridge** By-Law Number 4258  
PER: [Signature] [Signature] Date: October 3, 1988  
MAYOR CITY CLERK
2. **County of Lethbridge** By-Law Number 1169  
PER: [Signature] [Signature] Date: Aug 17/98  
REEVE COUNTY MANAGER
3. **Town of Coaldale** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR TOWN MANAGER
4. **Town of Picture Butte** By-Law Number 759/99  
PER: [Signature] [Signature] Date: Oct 12, 1999  
MAYOR TOWN MANAGER
5. **Village of Nobleford** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR VILLAGE ADMINISTRATOR
6. **Village of Barons** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR VILLAGE ADMINISTRATOR
7. **Town of Coalhurst** By-Law Number \_\_\_\_\_  
PER: [Signature] [Signature] Date: \_\_\_\_\_  
MAYOR TOWN MANAGER

## **AGREEMENT ON AREA RESOURCE SHARING DURING MUNICIPAL EMERGENCY RESPONSES IN SOUTHERN ALBERTA**

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### **SCOPE**

This agreement will provide the framework for Local Authorities to assist their neighboring and area local governments during emergencies including, but not limited to, fires, accidents, states of emergency and other incidents where life and/or property is endangered, and when the local authority where the incident has or is expected to occur, has requested the assistance.

#### **1.00 DEFINITIONS & AUTHORITIES**

- 1.01 A Local Authority: is defined in Section 1(g) (i, iv & v) of the Disaster Services Act.
- 1.02 A Municipality: is defined in Section 1(j) of the Disaster Services Act.
- 1.03 A Declaration of a Local State of Emergency is defined in Section 1(c), and implemented under Section 18, of the Disaster Services Act.
- 1.04 A Municipal Emergency: is defined as any situation where the resources of the Local Authority and its service providers are involved in efforts to mitigate immediate threats to life and/or property within the municipality.
- 1.05 The authority for municipalities to enter into this agreement by bylaw is provided in Sections 7(a & f) and 54 of the Municipal Government Act.
- 1.06 This agreement will be utilised in keeping with the intent of the following Statutes of Alberta (RSA 2000) as proclaimed and amended:
  - The Ambulance Services Act: (Chapter A-41)
  - The Disaster Services Act: (Chapter D-36)
  - The Municipal Government Act: (Chapter M-26)
  - The Safety Codes Act: (Chapter S-1)
- 1.07 If any thing in this agreement is inconsistent with the provisions of any provincial statute then the agreement is of no effect to the extent of the inconsistency.
- 1.08 This agreement will not supersede any existing contracts or agreements between local authorities to routinely provide emergency services within the area of jurisdiction of the local authorities and as defined in each contract or agreement.

#### **2.00 GENERAL**

- 2.01 This agreement will only be in force between those municipalities who are signatory to it.
- 2.02 Any signatory municipality may withdraw from this agreement by giving 90 days written confirmed notice to all other current signatories by mail, courier or facsimile.
- 2.03 A Local Authority may delegate some or all of its authority under this agreement to a designated officer(s) under the terms of Sections 203, 210, 211 and 212 of the Municipal Government Act.

### **3.00 APPLICATION**

- 3.01 At any time that a Local Authority, or its designated officers(s), feel that the assistance of another party(s) to this agreement is required, or may be required, it will contact the party(s) either in person, by telephone, radio, facsimile or some other means to request assistance.
- 3.02 The request will indicate whether it applies to a:
- declared state of local emergency
  - potential or pending state of local emergency
  - municipal emergency

and will outline what assistance is requested, where it is required and whether it is required immediately, required at a specified time or if the request is to place resources in a standby mode for a possible pending requirement.

- 3.03 The designated officer(s) of the supplying party will have full authority and discretion to determine if, based on current and anticipated conditions, the supplying party is able to meet all, some or none of the request from the requesting party to assist in dealing with the requesting party's Municipal Emergency.

Each party, whose assistance is requested, will provide information to the requesting party as soon as possible indicating what, if any, assistance will be provided as well as when and where it will be available.

- 3.04 The requesting party will be responsible to the supplying party(s) for the payment of all normal costs associated with the provision of the service within 60 days of receipt of a written invoice for services provided.
- 3.05 The party providing assistance will be responsible for submitting a written invoice for services to the requesting party within 30 days of the service(s) being provided.
- 3.06 Rates and fees for the provision of any specific type of assistance may be agreed to in advance by two or more of the parties under separate agreement.
- 3.07 Where rates have not been previously agreed to the actual costs and historical local area rates will be used as applicable. Where rates are in dispute the current Rate Schedule published by Alberta's Ministry of Infrastructure and Transportation will be utilised. In event of a dispute



between parties, regarding invoiced amounts for services provided under this agreement, a mutually agreeable third party may be requested to facilitate a resolution.

#### **4.00 OPERATIONAL CONSIDERATIONS**

- 4.01 The party requesting assistance will be responsible for direction and supervision of the resources of the parties providing assistance subject to 4.02, 4.03 and 4.04 below.
- 4.02 Where the persons providing direction and supervision of resources are of the opinion that representatives of parties supplying assistance can provide a better level of direction and supervision they may request that one or more representatives from the parties supplying assistance assume the responsibility for direction and supervision.
- 4.03 A representative of a party supplying assistance, receiving a request outlined in 4.02, may refuse a request to assume responsibility for direction and supervision.
- 4.04 A representative of a party supplying resources, and anyone under their direct supervision, may refuse to follow the directions of the persons providing direction and supervision on behalf of the requesting party when they believe that following the direction provided would result in an unreasonable risk to themselves or the persons and/or equipment under their control.
- 4.05 It is understood that when any disagreement arising in 4.04 occurs all reasonable efforts will be made to resolve the issue quickly. When this is not possible, and the issue is of a significant and ongoing nature, the representative of the party supplying resources may withdraw the resources under their control and return, along with these resources, to their own local authority. All reasonable efforts will be made to notify the requesting party and their own local authority of their decision, reasons and actions.

#### **5.00 WAIVER & INDEMNIFICATION**

- 5.01 All parties understand that this agreement is NOT a guarantee that any supplying party will always be able to provide services to any requesting party. As such no supplying party shall be liable to any party for its inability, failure, delay or termination in supplying any requested service.
- 5.02 The requesting party agrees to release and save harmless the supplying party(s), including its officials, officers, volunteers and employees from any and all claims for damages or loss resulting from any inability, failure, delay or termination in supplying any requested service.
- 5.03 The requesting party agrees to release and save harmless the supplying party(s), including its officials, officers, volunteers and employees for any and all claims for damages or loss resulting from providing assistance to the requesting party, including any third party actions, provided the supplying party(s) has acted in good faith.

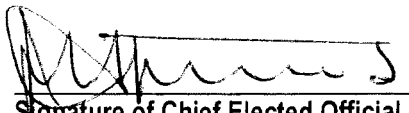
## ADMINISTRATIVE AGREEMENT

- 5.04 The requesting party agrees to indemnify the supplying party and all of its officials, officers, volunteers, employees and insurers engaged in the performance of this Agreement from and against ALL legal costs, claims, demands, loss, costs, actions or other proceedings brought or made by anyone and in any manner a result of the application or execution of this agreement. This will include but not be limited to acts of negligence, property damage or loss, and personal injury (including death), caused by the requesting party.
- 5.05 The supplying party will not be liable or responsible and shall be held harmless for any bodily injury or personal injury (including death), or property damage of any nature that may be suffered by the requesting party, its officials, officers, employees, agents, contractors or sub-contractors and volunteers in the performance of this Agreement, except to the extent of any negligence or misconduct on the part of the supplying party.
- 5.06 The requesting party shall be responsible for covering all damages, repairs and replacement of equipment or material provided by the supplying party unless such damage or destruction is the result of wilful or reckless acts by the representatives of the supplying parties.
- 5.06 The Liability of the requesting party shall survive the termination of this agreement.
- 5.07 The requesting party shall respond to all incidents, inquiries or claims within thirty (30) days of notification and provide a report of the status of the claim to the supplying party. In addition, the requesting party shall continue to provide timely ongoing progress reports to the supplying party up to and including final resolution of any claim attributable to the execution of this Agreement.

## 6.00 SIGNATORIES

- 6.01 Name of all municipalities participating in this agreement, the bylaw/resolution # authorising entering into this agreement and the date the bylaw received third reading are listed in Schedule A.

The Town of PICTURE BUTTE has entered into this agreement as per  
Bylaw/Resolution # 414.07.07 which came into effect on the 9 day of JULY,  
2007.

  
Signature of Chief Elected Official

Jon STEVENS Mayor  
Print Name

  
Signature of Chief Administrative Officer

Audrey R. MORTENSEN  
Print Name

**Agreement on Area Resource Sharing During Municipal Emergency Responses in Southern Alberta**

<b>MUNICIPALITY</b>	<b>Original Agreement</b>	<b>Ammended Agreement</b>
Cardston County	<b>Signed - No Bylaw or Resolution</b>	
Cypress County	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
County of Forty Mile No. 8		
County of Lethbridge		
M.D. of Pincher Creek No. 9		<b>Resolution # 07/386</b>
M.D. of Ranchland No. 66		<b>Resolution# M08/05/07</b>
M.D. of Taber		<b>Resolution # 16H</b>
Vulcan County		
County of Warner No. 5		<b>Resolution# 07-07-12</b>
M.D. of Willow Creek No. 26		<b>Signed - No Bylaw or Resolution #</b>
Town of Bow Island		
Town of Cardston		<b>Resolution 07-134</b>
Town of Claresholm		
Town of Coaldale		
Town of Coalhurst		
Municipality of Crowsnest Pass	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Town of Fort Macleod		
Town of Granum		
Town of Magrath		<b>Resolution #2007-07-07</b>
Town of Milk River		
Town of Nanton		
Town of Picture Butte		<b>Resolution # 414.07.07</b>
Town of Pincher Creek		<b>Resolution # 07-344</b>
Town of Raymond		<b>Resolution #07-082</b>
Town of Stavely		<b>Signed - No Bylaw or Resolution #</b>
Town of Taber	<b>Resolution # 153/07 No Agreement Sent</b>	
Town of Vauxhall		<b>Resolution# 07.128</b>
Town of Vulcan	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Village of Arrowwood		
Village of Barnwell	<b>Resolution # 75/07 - No Agreement received</b>	
Village of Barons	<b>Signed - No Bylaw or Resolution</b>	<b>Signed - No Bylaw or Resolution #</b>
Village of Carmangay	<b>Signed - No Bylaw or Resolution</b>	
Village of Champion		
Village of Coutts	<b>Signed - No Bylaw or Resolution</b>	
Village of Cowley		<b>Signed - No Bylaw or Resolution #</b>
Village of Foremost		
Village of Glenwood		
Village of Hill Spring		
Village of Lomond		<b>Signed - No Bylaw or Resolution #</b>
Village of Milo		
Village of Nobleford		<b>Reolution# 165-2007</b>
Village of Stirling	<b>Accepted - No Agreement, Blyaw or Resolution</b>	
Village of Warner		<b>Resolution# 505-07</b>
I.D. No. 4 (Waterton)		

**TOWN OF PICTURE BUTTE**  
**in the Province of Alberta**

**BYLAW NO. 764/00**

Bylaw No. 764 of the Town of Picture Butte for the purpose of authorizing a Power of Attorney in accordance with section 7(f) of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended.

**WHEREAS** prior to March 31, 1996 land use and planning services were provided to the Municipality by the Oldman River Regional Planning Commission.


**AND WHEREAS** by Ministerial Order the Oldman River Regional Planning Commission was disestablished the 31st of March 1996.


**AND WHEREAS** the Town of Picture Butte did by Bylaw establish the Oldman River Intermunicipal Service Agency and delegate to the Agency its subdivision processing and administrative functions.

**AND WHEREAS** there remain registered on the titles to land within the Municipality Deferred Reserve Caveats filed by or on behalf of the Town of Picture Butte by the former Oldman River Regional Planning Commission.


**NOW THEREFORE BE IT RESOLVED THAT** the Town of Picture Butte shall by Power of Attorney in the form attached grant onto the Oldman River Intermunicipal Service Agency the full power and authority to execute instruments on behalf of the Municipality affecting lands within the Municipality for the purpose of carrying out policies and decisions within the authority of subdivision and development of lands including to discharge Deferred Reserve Caveats filed by the Oldman River Regional Planning Commission.

READ a **first** time this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer


  
\_\_\_\_\_  
Chief Administrative Officer


READ a **second** time this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer

  
\_\_\_\_\_  
Chief Administrative Officer

READ a **third** time and finally PASSED this 27th day of March, 2000.

  
\_\_\_\_\_  
Chief Elected Officer

  
\_\_\_\_\_  
Chief Administrative Officer

# POWER OF ATTORNEY

**WHEREAS** the Town of Picture Butte issues this Power of Attorney for the purpose of expediting the administrative process of subdivision application approval;

The **TOWN OF PICTURE BUTTE** does hereby make, nominate, constitute and appoint: **OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY** of #B1, 905 - 4th Avenue South, Lethbridge, Alberta, T1J 0P4, as true and lawful Attorney with the power and authority to sign the following instruments:

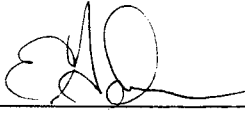
- 1. endorsement of instruments approving registration of subdivision approvals;
- 2. filing deferred reserve caveats in accordance with decisions made by the municipality;
- 3. discharging or partially discharging caveats (including Deferred Reserve Caveats) in accordance with municipal approvals, including those filed on behalf of the Municipality by the Oldman River Regional Planning Commission;


on our behalf, which are capable of registration under the Land Titles Act RSA 1980 Chapter L-5 and amendments thereto.

**THIS POWER OF ATTORNEY** may be executed by the Oldman River Intermunicipal Service Agency.

**DATED** at Picture Butte Alberta, this 27th day of March, 2000.

**TOWN OF PICTURE BUTTE**

Per:  \_\_\_\_\_ *Chief Elected Officer*

Per:  \_\_\_\_\_ *Chief Administrative Officer*



**APPLICATION TO SELL DEBENTURES TO  
ALBERTA MUNICIPAL FINANCING CORPORATION  
(To be used for Municipal Purposes)**

The Town of Picture Butte hereby applies to ALBERTA MUNICIPAL FINANCING CORPORATION to purchase its debentures to finance the undermentioned Capital Project.

Description of Project: COMPLETION OF THE WATER TREATMENT PLANT UPGRADE

Estimated Cost: \$4,070,000.00

Estimated Life of Project: 25 years                      Term of Debentures: 25 years

Amount of Debentures to be Sold under this Application    \$ 600,000.00

This application is signed and dated this 27<sup>TH</sup> day of MAY, 2002.

**CERTIFICATE**

**THE CHIEF ADMINISTRATIVE OFFICER AND CHIEF ELECTED OFFICIAL OF TOWN OF  
PICTURE BUTTE HEREBY CERTIFY:**

1. That By-law No. 777/02 passed on MAY 27<sup>TH</sup>, 2002 is a valid by-law pursuant to Section 273 of the *Municipal Government Act*.
2. That:
  - (a) By-law No. 777/02 has been advertised pursuant to Section 606 of the *Municipal Government Act*
3. That:
  - (a) the debt limit of \$2,428,638 as set by the Minister of Municipal Affairs pursuant to Alberta Regulation No. 375/94 of the *Municipal Government Act* will not be exceeded by this borrowing.
4. That the Municipality has obtained all approvals required for the project and has complied with all statutes and regulations, including but not limited to the *Municipal Government Act*, which apply to this borrowing and project.

---

**Chief Elected Official**  
**Mayor Jon Stevens**

---

**Chief Administrative Officer**  
**Norm McInnis**

## SUPPORTING DOCUMENTS REQUIRED

1. A certified copy of By-law No. 777/02.
  2. A copy of the latest audited financial statement (or a projected financial statement for the past year if borrowing is at the beginning of the year) and the financial information return prepared pursuant to Section 277 of the *Municipal Government Act*. (submit one per year only)
  3. A copy of the debt limit worksheet as at the date of application or for municipalities rated "A" or better, a copy of the rating agency report (submit any rating changes immediately). If municipalities are within 25% of their debt or debt service limit, additional information will be required prior to loan approval. In addition, if the debt limits are exceeded the Ministerial Order approving the borrowing must be attached.
- 
- 

## A.M.F.C. USE ONLY

Amount of Debenture for Purchase \$ \_\_\_\_\_

Term Approved \_\_\_\_\_ Years Rate of Interest \_\_\_\_\_ %

Date of Issue and Maturity \_\_\_\_\_ To \_\_\_\_\_

Annual Blended Payment \$ \_\_\_\_\_

Account No. \_\_\_\_\_ Debenture No. \_\_\_\_\_

Loan Purpose Code \_\_\_\_\_ PreLoan No. \_\_\_\_\_

---

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Approved \_\_\_\_\_

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**PROPOSED BY-LAW NO. 777/02**  
**OF THE TOWN OF PICTURE BUTTE**  
**(hereinafter referred to the "Municipality")**  
**IN THE PROVINCE OF ALBERTA**

This by-law authorizes the Council of the Municipality to incur an indebtedness by the issuance of debentures (the "debentures") to the Alberta Municipal Financing Corporation for the purpose of COMPLETION OF THE WATER TREATMENT PLANT UPGRADE.

**WHEREAS:**

The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completing of the WATER TREATMENT UPGRADE project.

ASSOCIATED ENGINEERING made plans, specifications and estimates for the project and confirms the total cost of the said project is \$ 4,070,000.00.

The Council of the Municipality has estimated the following grants and contributions will be received or applied to the project.

1. WATER/WASTEWATER PARTNERSHIP GRANT \$ 2,644,686.00
2. TRANSFER FROM RESERVES \$ 825,314.00

In order to construct and complete the said project, it will be necessary for the Municipality to borrow the sum of \$ 600,000.00 (the "indebtedness") on the terms and conditions referred to in this By-Law.

The Municipality will repay the indebtedness over a period of TWENTY FIVE (25) years in annual instalments, with interest not exceeding SIX & ONE QUATER per cent (6.25 %), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.

The amount of the existing debenture debt of the Municipality at DECEMBER 31, 2001, is \$549,429.00, no part of which is in arrears.

The estimated lifetime of the project is 25 years.

**All required approvals for the project have been obtained and the project is in compliance with all acts and regulations of the Province of Alberta.**

**THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED ENACTS AS FOLLOWS:**

1. That for the purpose of COMPLETION OF THE WATER TREATMENT PLANT UPGRADE the sum of SIX HUNDRED THOUSAND DOLLARS (\$ 600,000.00) be borrowed from AMFC by way of debenture on the credit and security of the Town at large, of which amount the sum of \$ 600,000.00 is to be paid by the Town at large.
2. The debentures to be issued under this by-law shall not exceed the sum of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding SIX AND ONE QUARTER per cent (6.25%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.
4. The debentures shall be issued in such manner that the principal and interest will be combined and be made payable in annual instalments over a period of TWENTY FIVE (25) years, in accordance with the schedule attached and forming a part of each debenture.

5. The debentures shall be payable in lawful money of Canada at the Alberta Treasury Branch in the TOWN of PICTURE BUTTE or at such other bank or financial institution as the Council of the Municipality may authorize as its banking agency during the currency of the debenture.
6. The Chief Elected Official and Chief Administrative Officer of the Municipality shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debenture.
7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of the Municipality and the Municipal Secretary affix the corporate seal of the Municipality to the debentures.
8. There shall be levied and raised in each year of the currency of the debentures a rate or rates on the assessed value of all lands and improvements shown on the assessment roll, sufficient to provide an annual tax adequate to pay the principal and interest falling due in such year on such debentures. The said rates and taxes are collectible at the same time and in the same manner as other rates and taxes.
9. The indebtedness is contracted on the credit and security of the Municipality at large.
10. The net amount realized by the issue and sale of debentures authorized under this by-law shall be applied only for the purposes for which the indebtedness was created.
11. This by-law shall take effect on the day of the final passing thereof.  
READ a first time in Council this 13<sup>TH</sup> day of MAY, 2002.  
  
READ a second time in Council this 27<sup>TH</sup> day of MAY, 2002.  
  
READ a third time in Council and passed this 27<sup>TH</sup> day of MAY, 2002.

CERTIFIED A TRUE COPY

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CHIEF ELECTED OFFICIAL

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CHIEF ADMINISTRATIVE OFFICER

---

CHIEF ADMINISTRATIVE OFFICER

SEAL

## **DEBT LIMIT WORKSHEET**

Name of Municipality: TOWN OF PICTURE BUTTE

### **Part 1**

Calculation of Debt Limit as at MAY 2, 2002

Total debt as at December 31, 2001 being the aggregate of (a)+(b)-(c):

(a)	Principal balances outstanding on borrowings as defined in Section 241(a) of the <i>Municipal Government Act</i>	\$ 549,429	
(b)	Principal outstanding at the calculation time on loans guaranteed by the municipality that are in good standing, plus the amount that the municipality is liable to pay at the calculation time on loans it has guaranteed that are not in good standing	_____	
<b>Less:</b>			
(c)	Amounts recoverable from another municipality in respect of (a)+(b) above	( _____ )	
	Sub-total	<b>\$ 549,429</b>	
(d)	Principal repayment of debt from Jan. 1, 20__ (current year) to calculation time	( _____ )	
(e)	Early payout of debt (principal only) occurring from Jan. 1, 20__ (current year) to calculation time	( _____ )	
<b>Plus:</b>			
(f)	Debt issued from Jan. 1, 20__ (current year) to calculation time	_____	
(g)	Less amount recoverable from another municipality in respect of (f) if applicable	( _____ )	
(h)	Debt issue applied for under this By-law No. 777/02	600,000	
	<b>Total debt for calculation of debt limit as at MAY 2, 200</b>	<b>\$ 1,149,429</b>	<b>(i)</b>

### **Part 2**

Total revenue as defined by Alberta Regulation No. 255/2000, for the year ended December 31, 2002, excluding government transfers for capital purposes and principal outstanding on loans made under MGA Section 265	1,504,163
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<b>*Debt limit of 1.5 times revenue</b>	<b>\$ 2,256,244</b>	<b>(ii)</b>
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**\*Note:** Debt limit calculations for Regional Service Commissions:

- for public utility services - 2 times revenue
- for non-public utility services - .5 times revenue

### Part 3

Calculation of Service on Debt Limit as at MAY 2, 2002

Service on debt being the aggregate of:

- |     |  |         |
|-----|--|---------|
| (a) | Total payments of principal and interest on borrowing to Dec. 31 of the prior year required to be paid to AMFC between Jan. 1 and Dec. 31, 20__ (current yr)                       | 150,276 |
| (b) | Total payments of principal and interest required to be paid on all other loans within 12 months from the calculation time (including demand loans)                                | _____   |
| (c) | Pro-rata (Go to Part 5 Pro-rata Calculation) portion of principal and interest amount in respect of borrowing where no principal payments are required during the next 12 months   | _____   |
| (d) | Amount estimated to become due during the next 12 months as a result of guarantees referred to in Section 266 of the <i>Municipal Government Act</i> that are not in good standing | _____   |

**Less:**

- |     |  |         |
|-----|--|---------|
| (e) | Amounts recoverable from another municipality in respect of (a)+(b)+(d) above  | (_____) |
| (f) | Total payments of principal and interest on AMFC loans that matured between Jan. 1, 20__ (current year) and the calculation time | (_____) |

**Plus:**

- |     |   |         |
|-----|---|---------|
| (g) | Annual payment of principal and interest payable on AMFC debt issued between Jan. 1, 20__ (current year) and the calculation time           | _____   |
| (h) | Less amount recoverable from another municipality in respect of (g)   | (_____) |
| (i) | Annual payment of principal and interest payable on the debt issue under this By-law No. 777/02 (calculated at AMFC's current lending rate) | 61.500  |

<b>Total service on debt for calculation of service on debt limit</b>	<b>\$ 211,776</b>	<b>(iii)</b>
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### Part 4

Total revenue as reported in the audited financial statements for the year ended December 31, 20____, excluding government transfers for capital purpose and principal outstanding on loans made under MGA Section 265	1,485,198
--	-----------

<b>*Service on debt limit of .25 times revenue</b>	<b>\$ 371,299</b>	<b>(iv)</b>
--	-------------------	-------------

**\*Note:** Service on debt limit calculations for Regional Service Commissions:

- for public utility services - .35 times revenue
- for non-public utility services - .1 times revenue

**Part 5 - Pro-Rata Calculation as at the calculation time (if required, i.e., if loan outstanding is more than 12 months)**

This Part 5 is in reference to Part 3(c) if required. Pro-rata calculation includes, for example, a loan where only interest payments are required for a portion of the term

Pro-rata amount to be included in the debt service calculation being the aggregate of:

(a) Principal balance outstanding at the calculation time on borrowings that do not require any principal payments during the next 12 months \$ \_\_\_\_\_

**Plus:**

(b) Interest payments required from the calculation time to the end of the amortization period \* \_\_\_\_\_

**Less:**

(c) Amounts recoverable from another municipality in respect of (a) or (b) ( \_\_\_\_\_ )

**Equals:**

(d) Total principal and interest from the calculation time to the end of the amortization period (a)+(b)-(c) \_\_\_\_\_

(e) Number of months from the calculation time to the end of the amortization period \_\_\_\_\_

**Pro-rata amount equals (d) multiplied by 12 divided by (e):** \$ \_\_\_\_\_

\* If the actual rate of interest under a borrowing is not known at the calculation time the current AMFC lending rates should be used

**Debt Limit**

Does total debt for calculation of debt limit (i) exceed debt limit (ii)? No

Does total service on debt (iii) exceed service on debt limit (iv)? No

If answer to either question is yes, please attach approval of the borrowing by the Minister of Municipal Affairs.





**PUBLIC NOTICE TO OWNERS OF THE  
TOWN OF PICTURE BUTTE, PROVINCE OF ALBERTA**

**TAKE NOTICE** that the Council of the Town of Picture Butte, in the Province of Alberta, has given first reading to borrowing By-law No. 777/02 which will, upon final passage and approval, authorize the proper officers of the said Town to borrow monies from the Alberta Municipal Financing Corporation by way of debenture issue, to pay for the cost of the following municipal purpose(s), namely the Water Treatment Plant Upgrade within the limits of the said municipality;

The total cost of the aforesaid project amounts to \$4,070,000.00. After deducting from this cost the amount of \$3,470,000.00 to be received by way of \$2,644,686.00 Alberta Water/Wastewater Partnership Grant and \$825,314.00 transferred from reserves, the net amount to be borrowed on the credit and security of the municipality at large by the issue of debentures is \$600,000.00. The debentures are to be repayable to the Alberta Municipal Financing Corporation in TWENTY FIVE (25) consecutive annual instalments of combined principal and interest, the annual interest not to exceed SIX AND ONE QUATER per centum (6.25%), or the interest rate as fixed from time to time by the Alberta Municipal Financing Corporation;

**NOW THEREFORE NOTICE** is hereby given by the Council of the Town of Picture Butte that, unless a petition of the owners for a vote on By-law No. 777/02 is demanded, as provided for by the terms of Section 231 of the *Municipal Government Act*, the said Council may pass the said borrowing by-law.

All persons interested are hereby notified and they are required to govern themselves accordingly.

**DATED** at the Town of Picture Butte, in the Province of Alberta, this 13<sup>th</sup> day of May, 2002.

Town of Picture Butte

**PER:**

Norm McInnis

Chief Administrative Officer

### **INFORMATION FOR ELECTORS**

Pursuant to Section 1(i) of the *Municipal Government Act* an "elector" means:

1. A person who is eligible to vote in the election for a councillor under the Local Authorities Election Act.

Pursuant to section 47(1) of the Local Authorities Election Act a person is eligible to vote in an election if he:

- a) is at least 18 years old,
- b) is a Canadian citizen, and
- c) has resided in Alberta for the 6 consecutive months immediately preceding election day and is resident in the area on election day.

A poll may be demanded in the \_\_\_\_\_ of \_\_\_\_\_ by electors equal in number to at least

- a) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 10% of the population and
  - b) in the case of a summer village, by 10% of the electors of the summer village
- in accordance with the provisions of section 223 of the *Municipal Government Act* and in accordance with the provisions of section 251 of the *Municipal Government Act*.

The petition for a vote must be received by the Chief Administrative Officer within 15 days of the last publication of this notice and shall contain on each page "an accurate and identical statement of the purpose of the petition". (Further requirements of the petition are provided in section 224 of the *Municipal Government Act*.)

DATE of the last publication of this notice is the \_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_\_.

**APPENDIX E**

**DECLARATION RE: PUBLICATION OF NOTICE OF PROPOSED BY-LAW**

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of Alberta, do solemnly declare that pursuant to the provisions of Section 251 of the *Municipal Government Act*, R.S.A., 1994, the Council of the \_\_\_\_\_ of \_\_\_\_\_, has given proper notice of intention dated \_\_\_\_\_, (Year) \_\_\_\_\_, and \_\_\_\_\_, (Year) \_\_\_\_\_, respecting By-law No. \_\_\_\_\_ that 15 days after the last publication of the Notice have now elapsed and no sufficiently signed and valid petition for a vote has been received by the Council.

\_\_\_\_\_  
\*\*(Date)

\_\_\_\_\_  
(Signature of Municipal Official)

\_\_\_\_\_  
(Position)

SEAL

**\*\*NOTE:** A petition may be presented on the 15th day after the last publication. Therefore, this declaration may only be signed on the 16th day after the last publication or any time thereafter.

**APPENDIX F**

**DECLARATION RE: SUFFICIENCY OF PETITION**

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the  
Province of Alberta, do solemnly declare that pursuant to the provisions of Section 393(2) of the  
*Municipal Government Act*, R.S.A., 1994, the Council of the \_\_\_\_\_ of  
\_\_\_\_\_ has received a sufficient petition proposing the construction of the  
project(s) described in By-law No. \_\_\_\_\_.

\_\_\_\_\_  
\*\*(Date)

\_\_\_\_\_  
(Signature of Municipal Official)

\_\_\_\_\_  
(Position)

SEAL

## **CERTIFICATE OF FINAL READING**

I, Norm McInnis, Chief Administrative Officer, of and on behalf of the Town of Picture Butte, in the Province of Alberta, hereby certify that By-law No. 777/02 of the Town of Picture Butte was read and finally passed at a meeting of Council held on the 27<sup>th</sup> day of May, 2002 and was signed pursuant to Section 213 of the *Municipal Government Act*. Pursuant to Section 143 of the *Municipal Government Act*, there are 7 members of Council, including the Mayor. At the said meeting 7 members were present, 7 members voted in favour of presenting the by-law for third reading\*, and, 7 members voted in favour of the passing of the by-law.

I declare the provisions of the applicable Sections of the *Municipal Government Act* have been complied with.

DATED at the Town of Picture Butte this 27<sup>th</sup> day of May, 2002.

---

Signature

**\*NOTE:**     **Pursuant to Section 187 of the *Municipal Government Act* Every by-law shall have 3 distinct and separate readings before it is finally passed, but not more than 2 readings of a by-law shall be had at any one council meeting unless the councillors present unanimously agree to consider 3rd reading**

**APPENDIX J**  
**FORM D**

**APPLICATION TO PREPAY A LOAN  
TO THE ALBERTA MUNICIPAL FINANCING CORPORATION**

The \_\_\_\_\_ hereby  
applies to the **Alberta Municipal Financing Corporation** to prepay a debenture in full/in part on the  
\_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_\_.

The details of the debenture are as follows:

Debenture No. \_\_\_\_\_ or Loan Account No. \_\_\_\_\_

By-law No. \_\_\_\_\_

Original Par Value \$ \_\_\_\_\_

Rate of Interest \_\_\_\_\_ %

Principal Amount to be Prepaid \$ \_\_\_\_\_

**IT IS HEREBY CERTIFIED** that the funds available to prepay this debenture in full/in part  
result from:

- ☐ actual project cost being less than the amount borrowed from AMFC;
- ☐ prepayments by the affected property owners;
- ☐ accumulated surpluses of the local authority;
- ☐ borrowing from a financial institution other than AMFC; or,
- ☐ other (describe) \_\_\_\_\_

This application and certificate is signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, (Year) \_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Method of Payment Preferred:

- ☐ By Cheque \*
- ☐ By debit slip originated by AMFC

\* If paying by cheque, it must be available to AMFC for  
deposit on the payment date selected

June 11, 2002

Alberta Municipal Financing Corporation  
403 Terrace Building, 9515 – 107 Street  
Edmonton, Alberta T5K 2C3

To whom it may concern:

Please accept the enclosed Application to Sell Debentures and accompanying documents for your July 2, 2002 issue date.

If there are any deficiencies in this application, I can be contacted at the information below.

Yours truly,

Norm McInnis, CAO  
Town of Picture Butte





# MUNICIPAL DEVELOPMENT PLAN

Bylaw No. 786-04



**September 2004**

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 786-04**

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, TO ADOPT A NEW MUNICIPAL DEVELOPMENT PLAN FOR THE MUNICIPALITY.

WHEREAS the Council of the Town of Picture Butte wishes to replace existing Bylaw No. 518, being the General Municipal Plan; and

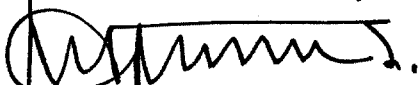
WHEREAS the purpose of the proposed Bylaw No. 786-04 is to provide a comprehensive, long-range land use plan pursuant to the provisions outlined in the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended; and

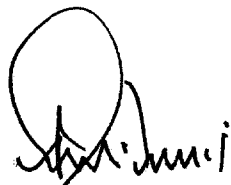
WHEREAS the municipal council has requested the preparation of a long-range plan to fulfill the requirements of the Act and provide for its consideration at a public hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte in the Province of Alberta duly assembled does hereby enact the following:

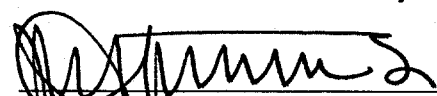
1. Bylaw No. 786-04 being the new Municipal Development Plan Bylaw is hereby adopted.
2. Bylaw No. 518, being the former General Municipal Plan and any amendments thereto is hereby rescinded.
3. This Bylaw comes into effect upon third and final reading hereof.

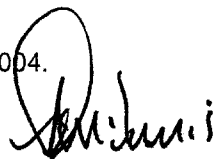
READ a **first** time this 10<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

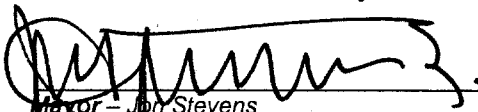
  
\_\_\_\_\_  
Administrator - Norman McInnis

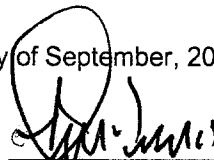
READ a **second** time this 13<sup>th</sup> day of September, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

  
\_\_\_\_\_  
Administrator - Norman McInnis

READ a **third** time and finally PASSED this 13<sup>th</sup> day of September, 2004.

  
\_\_\_\_\_  
Mayor - Jon Stevens

  
\_\_\_\_\_  
Administrator - Norman McInnis

# TABLE OF CONTENTS

	Page
1. INTRODUCTION .....	1
1.1 Introduction to a Municipal Development Plan .....	1
1.2 Plan Authority .....	2
1.3 Regional Location .....	3
1.4 Historical Background .....	3
2. COMMUNITY GOALS AND PRINCIPLES .....	5
2.1 Goals from Municipal Discussion .....	5
2.2 Future Summit Discussion .....	5
3. ANALYSIS OF POPULATION AND ECONOMIC DEVELOPMENT .....	9
3.1 Population Projections .....	9
3.2 Economic Activity .....	10
3.3 Target Population Growth .....	11
4. LAND USE ANALYSIS .....	13
4.1 Overview of Existing Land Use .....	13
4.2 Residential Land Use .....	13
4.3 Commercial Land Use .....	14
4.4 Industrial Land Use .....	15
4.5 Parks and Open Space Land Use .....	16
4.6 Public and Institutional Land Use .....	16
4.7 Fringe Area Land Use .....	17
5. OTHER LAND USE RELATED INFORMATION .....	19
5.1 Transportation .....	19
5.2 Municipal Services .....	20
5.3 Sour Gas Facilities .....	21
5.4 Municipal / School Reserves .....	21
5.5 Coordination of Land Use with Adjacent Municipalities .....	22
5.6 Environmental Considerations .....	22

	Page
6. FUTURE LAND REQUIREMENTS .....	23
6.1 Residential Land Requirements .....	23
6.2 Commercial Land Requirements.....	24
6.3 Industrial Land Requirements .....	25
6.4 Parks and Other Land Requirements.....	25
6.5 Summary of Land Requirements .....	26
6.6 Urban Expansion.....	26
7. POLICIES AND PROGRAMS FOR THE FUTURE .....	27
7.1 Future Housing.....	27
7.2 Developing the Economy .....	28
7.3 Public Use Facilities and Program .....	29
7.4 Municipal Infrastructure .....	29
7.5 Intermunicipal Cooperation .....	30
7.6 Municipal Government Act .....	30
MAPS	
MAP 1 Regional Location .....	following 3
MAP 2 Existing Land Use .....	following 14
MAP 3 Fringe Area Land Use .....	following 17
MAP 4 Guide Map.....	following 28

# TOWN OF PICTURE BUTTE

## MUNICIPAL DEVELOPMENT PLAN

### 1. INTRODUCTION

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#### 1.1 INTRODUCTION TO A MUNICIPAL DEVELOPMENT PLAN

The purpose of a municipal development plan (MDP) is to provide a framework for making decisions that will:

- improve the physical environment of a community,
- make all aspects of the town more functional, and
- create an interesting and efficient living environment.

A plan expresses how the community sees itself in the future and acts to implement community-based policies on development. A municipal development plan is the official policy of a community pertaining to land use and development goals, objectives and policies as it is adopted by bylaw.

It has been over two decades since the last general municipal plan for Picture Butte was adopted. The preparation of a new municipal development plan considers changes that have occurred in the community, a reassessment of community goals and updating statistical data. Additionally, changes have occurred to the provincial requirements regarding municipal development plan content to include a broader array of issues.

The preparation process of this municipal development plan included:

- discussions with town committees and council,
- preparation of a background paper,
- participation in the Picture Butte Summit,
- Picture Butte Community Future Survey results,
- presentation of the draft plan to a public meeting.

Research was also conducted evaluating many aspects of the Town of Picture Butte, such as:

- identifying the community's needs,
- evaluating land use,
- reviewing population trends,
- evaluating economic activity,
- reviewing other municipal issues.

## 1.2 PLAN AUTHORITY

There is no legislative requirement for Picture Butte to have a municipal development plan. This plan reflects the desire of council to look into the future and prepare policy for the future.

When a municipality chooses to adopt a municipal development plan, provisions are made in the Municipal Government Act. In particular, section 632 outlines the required contents for a municipal development plan which includes:

- the future land use within the municipality,
- the manner of and the proposals for future development in the municipality,
- the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,
- the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
- the provision of municipal services and facilities either generally or specifically.
- policies compatible with the Subdivision and Development Regulation to provide guidance on the type and location of land uses adjacent to sour gas facilities;
- policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities.

A municipal development plan may provide policies beyond the requirements of the Act to include:

- proposals for the financing and programming of municipal infrastructure;
- the coordination of municipal programs relating to the physical, social and economic development of the municipality;
- environmental matters within the municipality;
- the financial resources of the municipality;
- the economic development of the municipality;
- any other matter relating to the physical, social or economic development of the municipality;
- may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies.

Section 636 states while preparing a statutory plan a municipality must:

- (a) provide a means for any person who may be affected by it to make suggestions and representations;
- (b) notify the public of the plan preparation process and of the means to make suggestions and representations referred to in clause (a);
- (c) notify the school authorities with jurisdiction in the area to which the plan preparation applies and provide opportunities to those authorities to make suggestions and representations;
- (d) in the case of a municipal development plan, notify adjacent municipalities of the plan preparation and provide opportunities to those municipalities to make suggestions and representations.

### 1.3 REGIONAL LOCATION

Picture Butte is located at the junction of Highway 25 and the provincial roads 519 and 843 (see Map 1). Access directly south to the City of Lethbridge is not available but the distance is 12 kilometres. Since the driving distance from the city to Picture Butte is 30 kilometres and some 25 minutes, the town acts as a subregional service centre making use of the good road connection to the north part of the County of Lethbridge.

There is a rail line through Picture Butte which has historically provided transportation for the agricultural industry, however, the CPR has closed active rail service.

### 1.4 HISTORICAL BACKGROUND

Picture Butte was named after a prominence located on the southeast side of the town. The Butte no longer exists; by 1947 the soil had been reworked or removed to improve streets in town, build the highway and to dyke the shore of the lake.

In the early 1900s the area was opened for homesteading. Two historic events were largely responsible for the founding and development of Picture Butte:

- the building of the Lethbridge Northern Irrigation System in 1923, and
- the building of a railroad, which would provide access to markets in 1925.

These two events stimulated an influx of settlers. A post office was established in 1926 and the Hamlet of Picture Butte came into being. In 1935 a sugar factory opened and in 1936 the RCMP detachment was established. By 1943 the hamlet attained village status, and in 1961 the community became incorporated as a town with a population of 978. The town continued to grow as the hub of intensive livestock feeding and diversified farming.

The closing of the Canadian Sugar Factory in the spring of 1978 was an important event that influenced the town's development, resulting in both the loss of tax revenues and employment opportunities to the town. Since this time, a few small service industries and some warehousing and wholesaling industries constitute the bulk of industrial activity in Picture Butte.

Several factors have influenced the continued growth and development of the Town of Picture Butte:

- the development of a good highway system surrounding Lethbridge has meant that Picture Butte is within a relatively short commuting distance of Lethbridge for employment and shopping opportunities;
- the amenities and services available in Picture Butte are similar to those in a larger urban centre;
- Picture Butte's function as a service centre to the surrounding rural community, but also as a growing residential community for people employed in local farming operations and for retired rural people.

To support the growth and development, the town annexed approximately 165 acres in 1991, which changed the boundary of the community significantly since the general municipal plan of 1980.



## 2. COMMUNITY GOALS AND PRINCIPLES

It is important for a community to determine the attributes that need to be protected and developed. In this plan the discussion of goals and principles has been developed through firstly, original discussions with council and committees and secondly, the “Future Summit” held by the Town Council in May of 2003.

### 2.1 GOALS FROM MUNICIPAL DISCUSSION

This section represents the goals developed from early discussions with council:

- establish criteria that can be used by approval authorities and will provide residents with development that has high quality of design and other standards,
- assist in establishing a healthy community that supports the needs of its residents,
- develop a strong sense of community that is both self-reliant and cooperative with other jurisdictions,
- pursue a system of decision making that is inclusive of all stakeholders and the public at large,
- ensure land is available for a variety of uses in appropriate areas of town.

### 2.2 FUTURE SUMMIT DISCUSSION

When council prepared the agenda for the “Summit” they used their detailed knowledge of the community and their great experience in public service to identify the five issue areas of importance to the community.

They felt discussion and action should occur in the areas of:

- DEVELOPMENT (urban planning concerns)
- HEALTH CARE (of wide concern for all residents)
- YOUTH (the future of the town)
- GROWTH AND TOURISM (seen to be an opportunity)
- TOWN COUNCIL (a discussion of governance)

Panels and stakeholders in the community were invited to discuss each point and start to develop a strategy.

### 2.2.1 Development

Discussion occurred over a broad range of issues including:

- Community Image – including the feelings the town looks old; litter.
- Odour – related to the above, the image of the town is that it is adversely affected by the livestock industry surrounding it.
- Health Care – which was discussed in more detail in another session, but from a development point of view health care is essential in a balanced community.
- Infrastructure – including road issues.
- Real Estate – identifying the impediments to land sales.

Not only problems were identified, as discussion also recognized that this long-established town had attributes including:

- the strength, energy and friendliness of the residents of town,
- existing facilities and amenities,
- small town and stable community,
- quality and well-priced housing.

### 2.2.2 Health Care

Decisions by the Chinook Health Region will change the town's traditional level of health care. Efforts of the Picture Butte Health Care Committee have resulted in the retention of a satisfactory level of service. The Summit identified issues affecting health including:

- facilities and personnel,
- social issues,
- economic issues,
- need for community involvement,
- quality of life.

The town, the Chinook Health Region, Green Acres Foundation and Alberta Seniors have reached an agreement which will provide a level of service which will be the envy of many municipalities. A wing of the local Piyami Lodge is being renovated to house Urgent Care, Laboratory and X-ray services, Community Health and doctors offices. A new Supportive Housing annex is being added to the Lodge to replace 15 beds which will be lost when the primary care beds close in the old hospital.

The Picture Butte Integrated Care Society has been formed with representatives from the town and county as well as local physicians which will oversee operation of the Urgent Care, Lab and X-ray services and ensure that health care delivery meets the needs of the community.

### 2.2.3 Youth

Promoting and supporting the youth of the community was the main focus. Youth in town benefit from:

- athletics – the school's athletic programs are excellent;

- good community facilities;
- sportsplex, outdoor pool, ball diamond, soccer field;
- clean community, minimal garbage;
- parks and recreation;
- mainly seniors, families, youth from the area that come into town;
- population has an effect on the dynamics of a community;
- family-oriented community;
- everyone knows each other and takes care of each other;
- strong service and volunteer base.

It was also suggested that the youth of town need assistance in:

- need to provide positive activity to keep youth off streets;
- need to keep them busy, thus reducing vandalism and garbage;
- need to be productive;
- need more and varied activities;
- non-competitive activity (not just sports);
- find activity that is focused on those doing vandalism;
- youth centre – would it work?
- must be activity focused;
- youth who are not in “organized” sports have no other avenue to express themselves.

#### 2.2.4 Growth and Tourism

In search for further opportunities, participants recognized that Picture Butte has an active community that the tourism industry could capitalize on, such as:

- the Ag Fair, parade, pancake breakfast
- July Fair/Festival
- Trade Fair every two years
- sport fishing at the reservoir
- golf course
- bed and breakfast
- host to sporting tournaments
- 4H calves
- museum
- Jambouree Days (tractor days, horse pull)
- Show and Shine in July for cars
- Tractor Club
- Walk on the Wild Side – a bit of an Interpretive Centre (birds)
- olympic-sized ice arena

### 2.2.5 Town Council

Much of the conversation with this group was question and answer and stressed council's role in budgeting. Finances and decisions on spending seemed to be the priority.

### 2.2.6 Conclusion

This exercise and other strategic planning programs undertaken by council seem to focus on a continued effort to maintain and improve on quality of life issues. Council decisions on the above issues will support its residents.

### 3. ANALYSIS OF POPULATION AND ECONOMIC DEVELOPMENT

Population and economic development are used to estimate the likely future growth of Picture Butte. It should be noted that there is a large degree of uncertainty when using past data to predict future trends as:

- there is no guarantee that what happened in the past will continue to occur in the future,
- the community is relatively small and any large intervention can have a large effect on the projection.

More detail is available in the Town of Picture Butte Land Use Study, Background Report to the Municipal Development Plan. The following is a review of that analysis

#### 3.1 POPULATION PROJECTIONS

Population is presented as a range of possible growth numbers and where the actual amount will be depends, in part, on the economic activity experienced, and larger trends. One possible impact could be the City of Lethbridge which is in close proximity, but because of the driving distance the effect is expected to be minor, unless the distance is reduced by the construction on the projection of a more direct link.

TABLE 1  
**Summary of Population Projection Results for Picture Butte**

Year	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (last 5 yr)	Cohort (last 10 yr)	Cohort (last 20 yr)
1996	1,669	1,669	1,669	1,669	1,669	1,669	1,669
2001		1,823	1,873	1,802	1,763	1,686	1,781
2006		1,939	2,034	1,900	1,869	1,711	1,907
2011		2,055	2,208	2,003	1,982	1,736	2,040
2016		2,171	2,397	2,111	2,107	1,765	2,186
2021		2,287	2,603	2,218	2,244	1,798	2,342

Source: ORISA Population Projections 2001-2021

**Annual Growth Rates of 1.0%, 1.5% and 2.0% for Picture Butte**

Year	Census Population	1.0% Annual Growth	1.5% Annual Growth	2.0% Annual Growth
2001	1,701	1,701	1,701	1,701
2006		1,788	1,832	1,878
2011		1,879	1,974	2,074
2016		1,975	2,127	2,289
2021		2,076	2,291	2,528

Most of the projections shown in Table 1 developed for the Town of Picture Butte show growth at rates of 2 percent or less. This means that by the year 2021, the population from the calculation could be a high of 2,528 persons assuming the growth rate of 2 percent, or as little as 1,798 based on the cohort calculation using data from the last 10 years. Appendix 1 contains the summary of population projections.

One major factor that can serve to narrow the range is economic activity, and the likely strength of the town's business and employment sectors will assist in determining a reasonable population projection. A target range can be determined after an economic evaluation.

### 3.2 ECONOMIC ACTIVITY

Since its origin, Picture Butte's main function has been that of providing services to the surrounding rural area, and as such its services have tended to be related to agriculture. Agriculture and confined feeding operations rely on the town for support. It must be acknowledged that confined feeding operations have been a tremendous and diverse resource to the community economy for many years. Picture Butte is known as the "Livestock Feeding Capital of Canada". For the purpose of the MDP, the background paper evaluated:

- the town's subregional role,
- provincial economy,
- industry and labour characteristics,
- labour force,
- tax assessment,
- construction activity,
- subdivision and development activity.

Based on this discussion, the following summary is presented.

Although the preceding economic activity review is not a complete and thorough analysis, it does illustrate some prevalent trends that are present in the local economy and include:

- Picture Butte is a subregional trade centre providing service to the area north of the Oldman River in the County of Lethbridge;
- the unemployment rate for the region is the lowest in Alberta and the financial institutions are predicting growth at 4.5 percent for the province of Alberta;
- 67 percent of the population in Picture Butte is engaged in the service industry employment;
- there has been a steady conservative growth in residential subdivisions over the last 10 years;
- the ratio of residential tax assessment to non-residential tax assessment is greater than would be desirable — generally a 40 percent to 60 percent ratio is considered ideal — Picture Butte has 78.6 percent residential, 16.3 percent non-residential;
- the town should be able to benefit from the generally healthy economy of the area;
- the economy of the town depends on the agricultural industry and therefore is susceptible to the swings that can occur in this sector, for example, the BSE crisis of 2003. Diversified municipal economies are less susceptible to the effects of downturns in portions of the general economy.

### 3.3 TARGET POPULATION GROWTH

Given the economic analysis that indicates a stable situation the population of town may be closer to the projections of 1 percent or 2,076 persons and the arithmetic amount of 2,287 by 2021. This is less than the 60-year average growth of 2.3 percent and more than the 0.58 percent growth experienced in the last 10 years.



## 4. LAND USE ANALYSIS

Another source of information necessary for policy preparation is land use. The review of existing uses assists in part to establishing the future demand for lands. It can also assist in the creation of policy to address existing concerns and opportunities. It should be noted that the areas of land that are designated for a use in the land use bylaw will be different from the areas of land calculated in a land use study. The land use study reports what is on the ground and the land use bylaw designates what the land should be, but includes vacant land and non-conforming land uses. Map 2 is much more detailed than the map contained in the land use bylaw.

### 4.1 OVERVIEW OF EXISTING LAND USE

Table 2 and Map 2 exhibit the existing types of uses and the location. In general of the developed land, residential is the largest use of land in the town boundary. Some 56 percent of the land in the boundary is vacant and some of that is available for development.

TABLE 2  
**Existing Land Use**

Use	Hectares	Acres	% of Total
Single Residential	44.5	110.0	15.6
Multifamily Residential	2.0	5.0	.7
Manufactured Home	4.7	11.6	1.7
Commercial	15.8	39.0	5.5
Industrial	1.4	3.9	.5
Public	29.7	73.4	10.5
Utilities	16.3	55.4	5.7
Recreation & Open Space	10.4	25.6	3.7
Non Urban/Vacant*	159.1	393.1	56.0
<b>TOTAL</b>	<b>284.1</b>	<b>702.0</b>	<b>100.0</b>

### 4.2 RESIDENTIAL LAND USE

According to the existing residential land use shown in Table 3, residential development comprises 126.6 acres (51.2 ha) or 18.0 percent of the total existing land use. Single detached housing is dominant, using close to 15.6 percent of the total developed land and representing 86.9 percent of the total occupied dwellings within Picture Butte. This figure is comparable to other small southern Alberta communities. Multi-family housing accounts for 3.9 percent of total occupied dwelling units, while manufactured homes account for 9.2 percent. Picture Butte has two manufactured home parks, one on Piron Place and the other called Maple Estates in the south portion of town.

TABLE 3  
**Existing Residential Land Use**

Type	Area (acres)	Area (ha)	Total Residential %	Total %
Single Family	110.0	44.5	86.9	15.6
Duplex/Semi-detached	3.5	1.4	2.7	0.5
3-4 Family	0.5	0.2	0.4	0.1
Multi Family	1.0	0.4	0.8	0.1
Manufactured Home	11.6	4.7	9.2	1.7
<b>TOTAL</b>	<b>126.6</b>	<b>51.2</b>	<b>100.0</b>	<b>18.0</b>

Housing diversity is low in Picture Butte as most housing is in the form of single dwellings. For example, over 96 percent of the housing stock is either single detached dwellings or manufactured homes. In the future, the lack of multi-unit accommodation will affect the ability of the town to accommodate a diverse labour force and a variety of age groups.

As shown in Table 4, the majority of Picture Butte's housing stock was determined to be fair to excellent. The areas near downtown and near the north entry of town did fall into the lower category. Over the period of this plan it is expected that some redevelopment will occur in the area of lower rating.

TABLE 4  
**Housing Conditions – 2002**

Rating	Percent of Dwellings
Excellent	20.2
Good	27.5
Fair	47.5
Poor	4.7

Approximately 20 vacant residential lots exist in the newer residential areas in the north and south portions of town. According to the Land Use Survey (February 2003) there is approximately 216 acres (87.5 ha) urban reserve land used for agricultural purposes lying to the north and southwest of the existing residential areas.

There is an absence of higher-density low-maintenance housing that would be suitable for the older portion of the population. These “over 50” types of accommodation are more common in larger municipalities but can assist people to remain in the community.

### 4.3 COMMERCIAL LAND USE

Lands that are currently being used for commercial purposes (see Table 5) amount to 39.0 acres (15.8 ha) or approximately 6 percent of the total existing land use in Picture Butte. Much of the

retail commercial is located downtown and the highway commercial uses are located along Highway Avenue at the entrances to town and mixed in with the industrial area in the west end of town. The total amount of land designated by the land use bylaw as commercial is approximately 16.3 acres (6.6 ha); of that, 11.59 acres (4.69 ha) is designated as retail commercial and 4.65 acres (1.88 ha) is designated as highway commercial. A comparison between existing (39.0 acres) and designated (16.3 acres) commercial land use shows a deficit of 22.7 acres in designated commercial land use. Much of the existing commercial land use has located in the industrial area. As of the February 2003 Land Use Survey (Map 2), the town had ten vacant retail commercial parcels in the downtown area and zero vacant parcels in the highway commercial district.

TABLE 5  
**Existing Commercial Land Use**

<b>Type</b>	<b>Area (acres)</b>	<b>Area (ha)</b>	<b>% Total Commercial</b>	<b>% Total Existing Land Use</b>
Retail	2.7	1.1	7.0	0.4
Wholesale	7.4	3.0	19.0	1.1
Service	3.0	1.2	7.6	0.4
Transportation	1.7	0.7	4.4	0.2
Contracting	4.4	1.8	11.4	0.6
Building	3.0	1.2	7.6	0.4
Warehousing	16.8	6.8	43.0	2.4
<b>TOTAL</b>	<b>39.0</b>	<b>15.8</b>	<b>100.0</b>	<b>5.5</b>

In comparison to other southern Alberta communities of similar size, Picture Butte's 39.0 (15.8 ha) commercial land use acreage is slightly more than the average of 36.1 acres (14.62 ha).

The Existing Land Use Map indicates there is no vacant land available to accommodate future Highway commercial development. The map also shows there are a number of nonconforming land use activities present in the designated Highway commercial districts, which further impedes future Highway commercial growth. Most non-conforming uses are older dwellings that occupy land that has been designated for commercial use in the land use bylaw. In terms of highway commercial use, the non-conforming use is near the east entry to town.

#### 4.4 INDUSTRIAL LAND USE

As shown in Map 2, the industrial land use district is located on the east side of Picture Butte. The intent of the industrial land use zoning is to provide for and encourage the orderly industrial development of this district in a manner compatible with other land uses. The concentrated nature of the industrial activities in the industrial park on the east side of Picture Butte has resulted in relatively few land use conflicts. Table 6 indicates the industrial activity is very much oriented toward the agricultural sector. According to the Land Use Survey (February 2003), there are 14 vacant parcels of land designated as industrial use and available for development.

TABLE 6  
**Existing Industrial Use**

Type	Area (acres)	Area (ha)	% Total Industrial	% Total
Industrial Manufacturing	0.7	0.3	18.8	0.1
Ag Processing	3.2	1.3	81.2	0.5
<b>TOTAL</b>	<b>3.9</b>	<b>1.6</b>	<b>100.0</b>	<b>0.6</b>

#### 4.5 PARKS AND OPEN SPACE LAND USE

Picture Butte has several recreational, parks and open space parcels that occupy a total of 25.6 acres (10.4 ha) (see Table 7). There are a number of quality recreational facilities available to the residents of Picture Butte including the North County Recreation Complex that houses a regulation size ice arena and four sheets curling rink. Adjacent to the recreation centre is the outdoor swimming pool. The town also offers tennis courts, ball diamonds, soccer fields, a track and a campground. A 27-hole golf course with campground is located 2 kilometres west and south of town. Open space is provided by the three schoolyards and nearby resort areas including the Lion's Park, Regional Park and Campground, and the 'Walk on the Wild Side' Nature Trail. The Picture Butte Walk on the Wild Side Society has developed a walking trail along a portion of Picture Butte Reservoir. Park Lake is within a short drive of Picture Butte and offers water activities, picnic and camping facilities.

TABLE 7  
**Recreation and Open Space Land Use**

Type	Area (acres)	Area (ha)	% Recreation	% Total
Indoor Recreation	2.7	1.1	10.5	0.4
Outdoor Recreation	8.6	3.5	33.7	1.2
Parks	8.4	3.4	32.7	1.2
Open Spaces	5.9	2.4	23.1	0.8
<b>TOTAL</b>	<b>25.6</b>	<b>10.4</b>	<b>100.0</b>	<b>3.6</b>

#### 4.6 PUBLIC AND INSTITUTIONAL LAND USE

As Table 8 illustrates, a large percentage of land, approximately 73.4 acres (29.7 ha) or 10.5 percent of the total land, is dedicated to institutional uses. Public and institutional uses include education, government activities, churches, community and the urgent care facility.

TABLE 8  
Public and Institutional Land Use

Type	Area (acres)	Area (ha)	% Total Public Institutional	% Total
Educational	31.6	12.8	43.1	4.5
Government	2.2	0.9	3.0	0.3
Community	0.5	0.2	0.7	0.1
Hospital*	8.2	3.3	11.1	1.2
Religious	30.9	12.5	42.1	4.4
<b>TOTAL</b>	<b>73.4</b>	<b>29.7</b>	<b>100.0</b>	<b>10.5</b>

\* Recent changes suggest this land will likely be redesignated in the near future.

#### 4.7 FRINGE AREA LAND USE

Map 3 shows the uses located in the fringe area of the town. The land south of town is somewhat fragmented by subdivision and land ownership, while much of the rest of the area is larger agricultural parcels.

## 5. OTHER LAND USE RELATED INFORMATION

### 5.1 TRANSPORTATION

Land use in the Town of Picture Butte will be affected by the amount and type of traffic that will be travelling in, around and through the community. The Town of Picture Butte is located at an intersection point of two transportation routes: Highway 25 running north and south, and Highway 519 running east and west.

#### 5.1.1 Arterial Roads

Three arterial roads exist in Picture Butte:

- Highway Avenue,
- Rogers Avenue, and
- 4<sup>th</sup> Street South.

Picture Butte's main street (Highway Avenue) is a through route and is part of Highway 25. It is one of the main entrances to town and connects the downtown with residential areas. Rogers Avenue is a through route for Highway 519. Heavy trucks use both Highways 25 and 519. Fourth Street South connects Highway Avenue and Rogers Avenue in town and is consequently a heavily travelled route. These three roadways represent Picture Butte's most heavily travelled routes. It is important to note that these routes run through residential as well as commercial and industrial areas.

#### 5.1.2 Local Road Network

At the local road network level, the street pattern is largely that of the traditional grid system. The grid was laid out south and north of the railway line. The alignment of the railroad tracks and Highway Avenue has caused the street pattern to be altered somewhat from the normal grid pattern. In the newer residential developments the street pattern incorporates curvilinear characteristics featuring crescents and cul-de-sacs. A newer area of residential has been built in the north and west section of the town. Currently access is only available by 7 Street North. Additional lands may be developed in this area, increasing the use of the single access point.

#### 5.1.3 Provincial Highway System

Picture Butte is connected to the region and province by Highway 25 and Highway+ 519.

The average annual daily traffic through Picture Butte on Highway 25 and 519 has increased at all points from 1990 through to 1999. Both highways experience an increase in traffic volume during the summer months. Increased traffic on a roadway has a direct effect on what kind of barrier these rights-of-way will become to development.

## 5.2 MUNICIPAL SERVICES

The municipal services for this section of the municipal development plan include the water distribution system, storm water drainage, sewage collection system, and solid waste collection.

### 5.2.1 Water

The town's drinking water is obtained from the Picture Butte Reservoir, which is fed from Keho Lake by way of a Lethbridge Northern Irrigation canal. The reservoir is located on the north boundary of town.

In 2001 the town's water treatment plant was updated and expanded and uses ultrafiltration membrane technology using a small pore size membrane. Chlorination occurs after the water is filtered. At this point the plant is providing a water capacity to approximately 1,600 - 1,800 people (maximum capacity of 7 megalitres per day). The plant has the ability to grow and expand as the population grows and the need arises. Main distribution lines have also been improved with the installation of additional control valves.

The water distribution system generally provides adequate pressures to most parts of the town with the exception of some of the areas to the east of the hospital. This issue will be addressed with the completion of an upgrade in 2004. The inadequate pressures in these areas are due to the small distribution mains in the area. The water main replacement program that the town has embarked on to replace most of the cast iron mains with PVC pipes will improve pressures.

An area used for old water reservoirs located north of the current water reservoirs was reclaimed in the 1970s and may be available for development to some other uses.

### 5.2.2 Sewage

The sewage treatment plant is in the County of Lethbridge located south of the town with the sewage lagoons. The sewage system serves all the developed areas and has a capacity for a population of approximately 2,500. The existing sanitary trunk sewer mains can accommodate the present population and future expansion to the north. New trunk mains will be required for future growth and development to the south.

Assuming that the same type of commercial and industrial activities continue the existing sewage lift station is adequate for a population of 3,000. A new aeration system installed in 2003 is more than adequate for a population of 2,500 and depending on the level of commercial and industrial activity it may be adequate for a population of 3,000. The system should be evaluated when the population reaches approximately 2,300 and whenever a major commercial/industrial development occurs. Expansion and upgrading will be required as the town grows past the existing capacity for the sewage system.



### 5.2.3 Storm Water Drainage

The underground storm sewer system is limited to the areas north of the CPR tracks and the residential area around Maple Crescent. The rest of the town has suitable surface drainage. The storm water runs into Piyami coulee southeast of town. The storm water system should be evaluated whenever a major residential subdivision, commercial, or industrial development is planned.

### 5.2.4 Solid Waste

Garbage is collected from the residences once a week and twice a week from businesses. There is a waste transfer station located south of Picture Butte near the lagoons from which the material is taken to the Kedon site. The Lethbridge Regional Waste Management Service Commission has a recycling trailer for recyclable products. This recycling trailer is located adjacent to the Postal Kiosk (corner of Jamieson Avenue and 4<sup>th</sup> Street South).

## 5.3 SOUR GAS FACILITIES

According to section 9(1) of the MGA Subdivision and Development Regulation it is required that:

*"A subdivision authority must send a copy of a subdivision application and a development authority must send a copy of a development application to the AEUB if any of the land that is subject to the application is within 1.5 kilometres of a sour gas facility or a lesser distance agreed to, in writing, by the AEUB and the subdivision authority."*

Currently there are no sour gas facilities within the Town of Picture Butte or its urban fringe within the County of Lethbridge.

## 5.4 MUNICIPAL / SCHOOL RESERVES

Municipal reserve is a contribution made by the developer at the time of subdivision to the town for park or school purposes. It is a total of 10 percent of the land area or land value. The Municipal Government Act (MGA) allows for the taking of municipal and/or school reserve, subject to section 666(1), at the time of subdivision under certain circumstances.

When the requirement for reserve is to be provided as money in place of land, council, subject to section 667 (1)(b) of the MGA, will establish the rate of payment from time to time. Since council may change these values, applicants should confirm values with the municipality.

The municipality also has the authority to request environmental reserve to be provided at the time of subdivision in accordance with section 664(1) of the MGA. In most instances, environmental reserve must be left in its natural state or be used as public park. Also, the owners of a parcel of land of a proposed subdivision and the municipality have the option to consider registering a reserve easement on an identified parcel of land.

## 5.5 COORDINATION OF LAND USE WITH ADJACENT MUNICIPALITIES

The MGA stipulates that the municipal development plan must address land issues with adjacent municipalities. Section 632(3)(a)(iii) of the MGA states:

*“A municipal development plan must address the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities.”*

The County of Lethbridge surrounds the Town of Picture Butte; therefore it is of benefit for the town to maintain contact with the county and other municipalities to discuss issues of shared concern. An intermunicipal development plan between the County of Lethbridge and the Town of Picture Butte has been in place since 1997 which should be reviewed and evaluated on a regular basis. Issues concerning fringe development that should be addressed by the town and county include:

- development permit applications,
- redesignation,
- new and changes to existing confined feeding operations,
- other projects that may have an effect on the adjacent municipality.

A number of land uses exist near the boundary of the town as shown on Map 3.

## 5.6 ENVIRONMENTAL CONSIDERATIONS

The Town of Picture Butte has environmentally unique and sensitive areas that are of local and regional interest. Environmental considerations are of increasing concern to citizens of all municipalities. Many of the causes of environmental problems are beyond the scope of municipal authorities to solve. A municipality can contribute to environmental sustainability by encouraging and practicing conservation, reduced consumption and providing opportunities for recycling, where possible.

The Picture Butte reservoir is identified as an environmentally sensitive and significant area. The reservoir is a permanent wetland that is of regional significance. The community should promote environmental protection through the methods available to a local municipality and through public awareness. Currently, the Walk on the Wild Side Association is promoting the area as environmentally sensitive and is supporting public awareness.

## 6. FUTURE LAND REQUIREMENTS

### 6.1 RESIDENTIAL LAND REQUIREMENTS

A residential land consumption range is calculated based on the likely population trends. The future residential land consumption range analysis for Picture Butte is based on (see Table 8):

- population projection using five year cohort survival and 1.5 percent growth rate,
- average household size of 2.8,
- density of 4.7 units per acre.

As the population of Picture Butte increases, the town will need land for residential development. The amount required is dependent upon present consumption and future population growth. The population analysis and projections suggest that the population of the Town of Picture Butte, by the year 2021, will increase by between 575 persons and 726 persons.

**Table 8**  
**Town of Picture Butte – Residential Land Consumption Range**

YEAR	Population Levels		Assumed Persons Per D.U. <sup>2</sup>	Total Required D.U.s <sup>1</sup>		Existing D.U.s	New Dwelling Units Required		Land Acreage Requirement	
	High	Low		High	Low		High	Low	High	Low
<b>1996</b>	1669									
<b>2001</b>	1823	1701	2.7	675	630	590	85	40	11.5	5.4
			2.8 *	651	608	590	61	18	8.3	2.4
			2.9	629	587	590	39	-3	5.2	-0.5
<b>2006</b>	1939	1788	2.7	718	662	590	128	72	17.3	9.8
			2.8 *	693	639	590	103	49	13.9	6.6
			2.9	669	617	590	79	27	10.6	3.6
<b>2011</b>	2055	1879	2.7	761	696	590	171	106	23.1	14.3
			2.8 *	734	671	590	144	81	19.4	11.0
			2.9	709	648	590	119	58	16.0	7.8
<b>2016</b>	2171	1975	2.7	804	731	590	214	141	28.9	19.1
			2.8 *	775	705	590	185	115	25.0	15.6
			2.9	749	681	590	159	91	21.4	12.3
<b>2021</b>	2287	2076	2.7	847	769	590	257	179	34.7	24.2
			2.8 *	817	741	590	227	151	30.6	20.5
			2.9	789	716	590	199	126	26.8	17.0

<sup>1</sup> Acreage based on 4.7 units per acre

<sup>2</sup> D.U. = dwelling unit

\* Analysis done for a 25 year population projection, using three different calculations of 'person per dwelling unit'.  
(The 1996 Census persons per dwelling unit was 2.8 for Picture Butte.)

Although land is available for future residential use, this may not address the issue of housing diversity. To this point the private sector has not constructed a variety of housing and the town has not been involved in property development. Municipalities can encourage a wider range of housing in several ways including:

- bylaws requiring a housing mix;
- a private-public partnership in building the desired housing type, in some way reducing the risk to the private sector;
- a town only project.

Using the assumption developed in the analysis, it appears that by the year 2021 the Town of Picture Butte could develop between 40 and 56 acres of residential land to accommodate a population projection of 2,395 people. This would require a need for approximately 265 new dwelling units to house the increased population.

Approximately 20 vacant residential lots (approximately 4.3 acres) existed at the time of the survey in the newer residential areas in the north and south ends of town and another 42 vacant residential lots (approximately 13.2 acres) exist in the southeast subdivision between Pitt Street and Grace Street. This means there are approximately 17.5 acres of designated residential land available for future development and that approximately 38.9 acres of urban reserve land may need to be zoned to residential to accommodate future growth over the next 25-year period.

## 6.2 COMMERCIAL LAND REQUIREMENTS

Future land requirement for commercial development will depend on a number of factors including:

- availability of prime retail and highway commercial land,
- influence of the City of Lethbridge,
- success of the economic development promotion.

As of the February 2003 Land Use Survey, the town had ten vacant retail commercial parcels in the downtown area and no vacant parcels in the highway commercial district as the land is still occupied by non-conforming uses such as dwellings.

### 6.2.1 Downtown Commercial

The growth of the downtown area is physically constrained by the railway to the south, the surrounding residential area and the industrial area to the east. A downtown redevelopment analysis and strategy would provide opportunities for infill and redevelopment of existing and underused parcels of land in the downtown core. The annexation in 1991 provides the town with enough suitable land for commercial growth, however the redevelopment of the downtown core should be a priority.

Although some commercial lots are available for development, the Town of Picture Butte should emphasize the following strategies in accommodating future commercial growth:

- undergo a downtown redevelopment study to identify potential growth areas,
- promote infill development on existing vacant lots.

### 6.2.2 Highway Commercial

Future requirements for highway commercial lands are often hard to determine, as this type of land is often a function of supply and demand. As well, growth and development of highway commercial activity is closely related to increased traffic on the highway, rather than actual population growth in the town itself.

The Existing Land Use Map (Map 2) indicates there is no vacant land available to accommodate future highway commercial development. The map also shows there are a number of nonconforming land use activities present in the designated highway commercial districts, which further impedes future highway commercial growth. If the town desires to attempt to attract some type of highway commercial development, suitable land should be identified and zoned for that purpose. Nonconforming uses should be encouraged to relocate in appropriate areas to open prime highway commercial sites.

Currently, approximately 4.7 acres of designated highway commercial uses are located along Highway Avenue at the entrances to town. Because it is not possible to make an accurate projection, the town may consider doubling the area of highway commercial development they already have developed to approximately 9 acres.

## 6.3 INDUSTRIAL LAND REQUIREMENTS

The 1991 Picture Butte Proposed Annexation Background Report shows Picture Butte as having 16.64 acres of land designated as industrial and indicated an industrial land requirement range of between 70 to 100 acres. The 1998 Land Use Bylaw indicates that Picture Butte has approximately 88 acres of land designated for industrial activities.

The recent annexation (1991) provides the town with enough suitable industrial land for some time. Therefore there is no need to designate more land for future industrial use in Picture Butte. However, as the industrial area is developed, the parcels along Industry Drive will require expansion of water and sewer servicing.

## 6.4 PARKS AND OTHER LAND REQUIREMENTS

Generally, development and subdivision may include as much as 10 percent of extra land for other uses. It is difficult to project future land requirements for public, institutional, recreational and open space activities. As the population grows and new development occurs, the need for expansion of these facilities will undoubtedly take place.

Most of the vacant lands within town are in large parcels of land and would require subdivision prior to any significant development activity. At the time of subdivision, municipal reserve should be taken and reserved for parks, open space and institutional as needed.

## 6.5 SUMMARY OF LAND REQUIREMENTS

A review of the preceding sections indicate that approximately 28 to 39 acres of land would be required to accommodate most land uses. The review of vacant land indicates that more than sufficient lands are available for the foreseeable future. About 195 acres exists to accommodate urban density residential uses as well as 35 acres in the northwest portion of town that could accommodate large lot subdivision. Potentially some 25 lots may be redeveloped in the plan period and the old reservoir site of 5.8 acres may also be redeveloped.

Providing land for commercial use may require the redevelopment of existing residential lots.

**Table 9**  
**Summary of Land Requirements**

Land Use	High Estimate	Low Estimate
Residential	27 acres	17 acres
Commercial land requirements (highway commercial)	9 acres	9 acres
Industrial	—	—
Parks (10% residential)	2.7 acres	1.7 acres
TOTAL	38.7 acres	27.7 acres

## 6.6 URBAN EXPANSION

From the analysis it seems that land is available for development for the foreseeable future. The town boundary may be expanded for the purpose of:

- commercial expansion,
- providing an alternative access to the northwest part of town,
- if a council identifies a need at some point in the future.

## 7. POLICIES AND PROGRAMS FOR THE FUTURE

Previous sections of this plan have analyzed land use and other municipal features of the town and identified issues and opportunities available. Using the information, the following policies have been developed.

### 7.1 FUTURE HOUSING

#### Issues

- Population growth has been steady if slow over the years. The town will need to provide nearly 40 acres for residential uses over the plan period.
- The housing stock is aging indicating that redevelopment and rehabilitation of housing will occur more in the future.
- More than 96 percent of the housing is in the form of single dwelling units. If housing is to accommodate both the diversity of economy and the aging population, the variety of housing types should change.
- No detailed plans exist for the large areas of land in the south and west of town. An old plan for the area south of town is only a sketch and has not incorporated the annexed land to the west.
- Housing diversity needs to be addressed in the future.

#### Policies

**7.1.1** The priority for housing in the future should be:

- continue toward the south,
- infill the northwest,
- the area south and west,

as shown on Guide Map 4.

**7.1.2** An area structure plan be prepared for all the area south and west of the town. The land is private land and therefore the town may assist in the preparation of an area structure plan, but will have to work closely with the property owners.

**7.1.3** Developers should be encouraged to provide a diversity of housing types. A variety of housing may be promoted in areas of town such as:

- in new area structure plans being adopted by council,
- on sites where existing houses are to be redeveloped,
- on larger sites that may become available such as the hospital site or the former water reservoir site,
- area of land east of the manufactured home park – the town owns some of this land.



- 7.1.4** Council should consider being more active in the provision of multi-dwelling housing developments by either entering into some private-public partnership or actually develop projects. Particular interest for council may be to provide low-maintenance, higher-density housing aimed at older segments of the population.
- 7.1.5** Some additional lots should be considered if an annexation occurs. This would be in conjunction with a solution for the access issue in the northwest as discussed in policy 7.4.3.
- 7.1.6** Council should test the soils in the site of the reclaimed water reservoir site. A design can be prepared to allow for infill housing.
- 7.1.7** The approval authorities should use its discretion to relax development standards when considering applications that would result in a considerable improvement to an existing lot that requires redevelopment.
- 7.1.8** A parcel of land east of the manufactured home park is partially owned by the town and should have a design prepared.

## **7.2 DEVELOPING THE ECONOMY**

### **Issues**

- There is a need for more commercial land over the plan period, particularly for highway commercial uses and downtown land.
- The community seems to have sufficient industrial land for the plan period; however, an industry requiring a large area of land could reduce the supply quickly.
- It is important to protect the business enterprises that currently exist in the town.
- Picture Butte competes with towns throughout the region and even the province. Making a place for a community in the provincial economy is not an easy task.

### **Policies**

- 7.2.1** Larger vacant lots along Highway Avenue should be reserved for highway commercial uses.
- 7.2.2** With the closing of the railway, both sides of Jamieson Avenue are suitable for development.
- 7.2.3** Council received advice at the “Summit” meeting and council should continue to be in contact with the business community to ensure the town can meet their needs.
- 7.2.4** The town has produced some very good promotional material, most recently the town website. It is important to continue to develop these programs and fund the effort.

## 7.3 PUBLIC USE FACILITIES AND PROGRAM

### Issues

- Health care delivery and the provision of educational facilities in the town has become an issue that can affect town growth, and it is largely outside the jurisdiction of the local authority.
- Maintenance of parks is absorbing a larger portion of the municipal budget; however, these open spaces can contribute to the overall health and wellness of the town's residents.
- Assist in improving the general quality of life through public land and facilities.

### Policies

- 7.3.1** The town should support existing committees ensuring liaison with both health and education officials to allow for continuous input and influence. Committees may be able to sense problems in advance of the issue arising, allowing for a quick response. It will also allow the town to be more aware of Chinook Health Region plans and ensure the town is not surprised by decisions in the future.
- 7.3.2** New subdivisions and area structure plans should provide for park lands and create links to other open spaces.
- 7.3.3** Council should prepare a specific plan with priorities and budgeting considerations that will provide a reinvestment in public facilities which may include partnerships.

## 7.4 MUNICIPAL INFRASTRUCTURE

### Issues

- Currently the existing portion of town is well-serviced and experiencing no shortage of capacity for sewer, water and storm drainage. Areas of new development have yet to be evaluated.
- Access into the northwest of town is restricted to one road that flows by a school. As further development occurs, the problem of access will be more severe.
- The town currently has no sharing agreements with other municipalities for equipment or services.

### Policies

- 7.4.1** As council and private owners undertake area structure plans and designs for vacant areas of land, engineering work should be conducted to ensure sufficient capacities exist in the existing servicing lines.
- 7.4.2** Should deficiencies in infrastructure be identified in the area structure plan or design processes, council should prepare a schedule of improvements to coincide with the possible development of the lands in question.

- 7.4.3** Council should investigate obtaining land from the NE¼-3-11-21-W4M in the northwest part of town to complete a road link (see Map 4, Municipal Development Plan Guide Map). Some residential development could also be considered adjacent to this new connector.
- 7.4.4** Council should investigate the advantages of partnering with other municipalities for the provision of services or equipment.
- 7.4.5** When the town population approaches 2300, further analysis of the sewerage system capacity should occur.

## 7.5 INTERMUNICIPAL COOPERATION

### Issues

- In the past the Town of Picture Butte and County of Lethbridge have had an agreement regarding fringe area land use issues. The intermunicipal development plan had a sunset clause and the plan is no longer in effect.
- Municipalities are being encouraged by Alberta Municipal Affairs to cooperate with adjacent authorities to find opportunities for the sharing of services, equipment and administration.

### Policies

- 7.5.1** After the adoption of the municipal development plan, council should contact the County of Lethbridge and commence the process of preparing an intermunicipal development plan that may include:
- establishing formal communication between the two municipalities,
  - create a system for dispute resolution,
  - methods to ensure compatible land uses locate in the fringe district,
  - investigation into shared services.

## 7.6 MUNICIPAL GOVERNMENT ACT

### Issues

- Municipal development plans are required to have policies regarding:
  - location of uses locating close to sour gas facilities,
  - municipal reserve,
  - protection of agricultural land.

### Policies

- 7.6.1** There are no sour gas facilities currently in or near the town and, therefore, no immediate action is required. Should any facilities containing sour gas be developed in or near the town in the future, this policy should be reviewed.

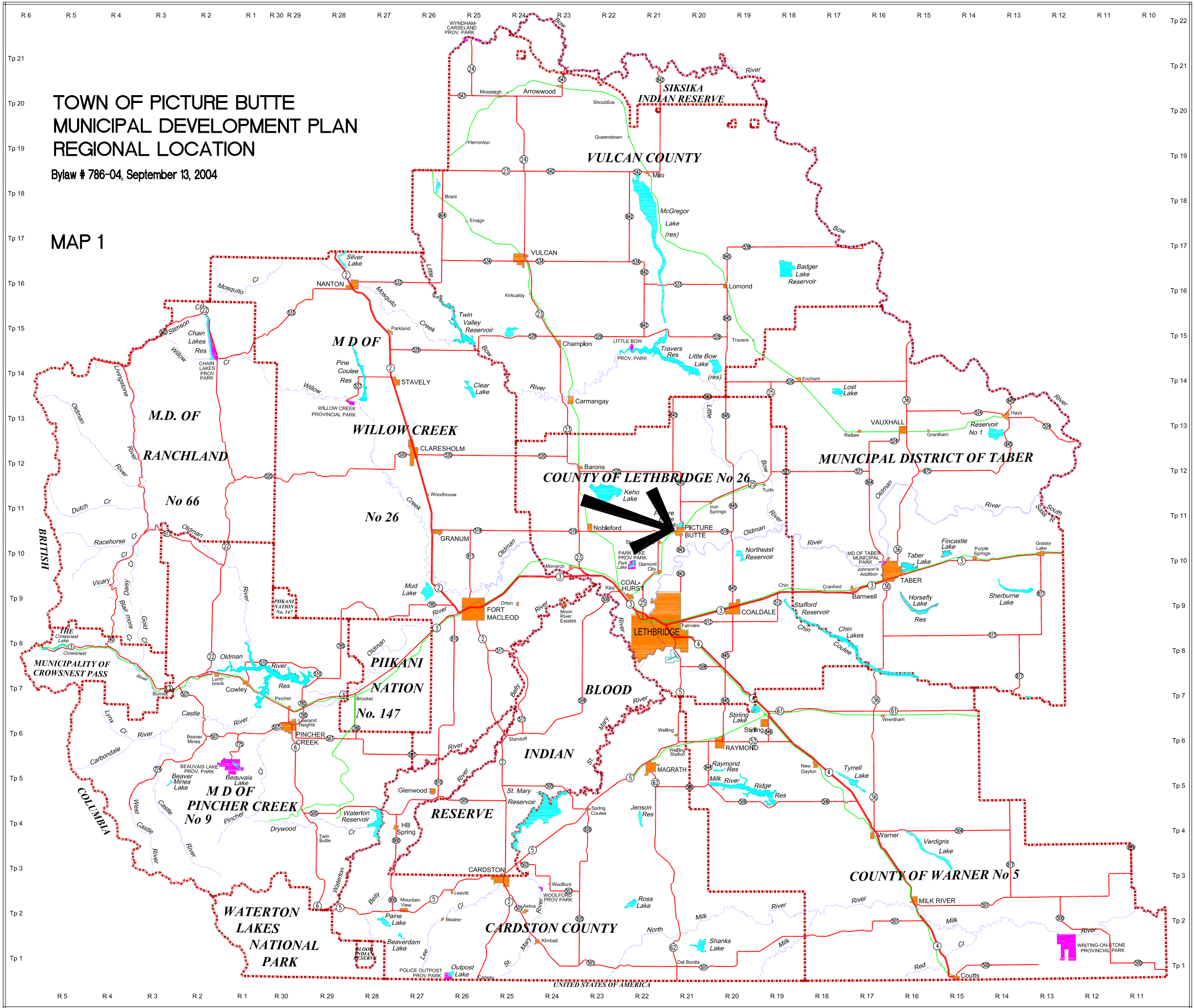
**7.6.2** The subdivision approval authority will take 10 percent municipal reserve from subdivisions where reserve is applicable in:

- land – for park areas in areas where an area structure plan or conceptual scheme indicates park space, buffer strips or walkways are proposed; or
- cash in lieu of reserve – in areas where parkland, buffer strips or walkways are not determined to be used.

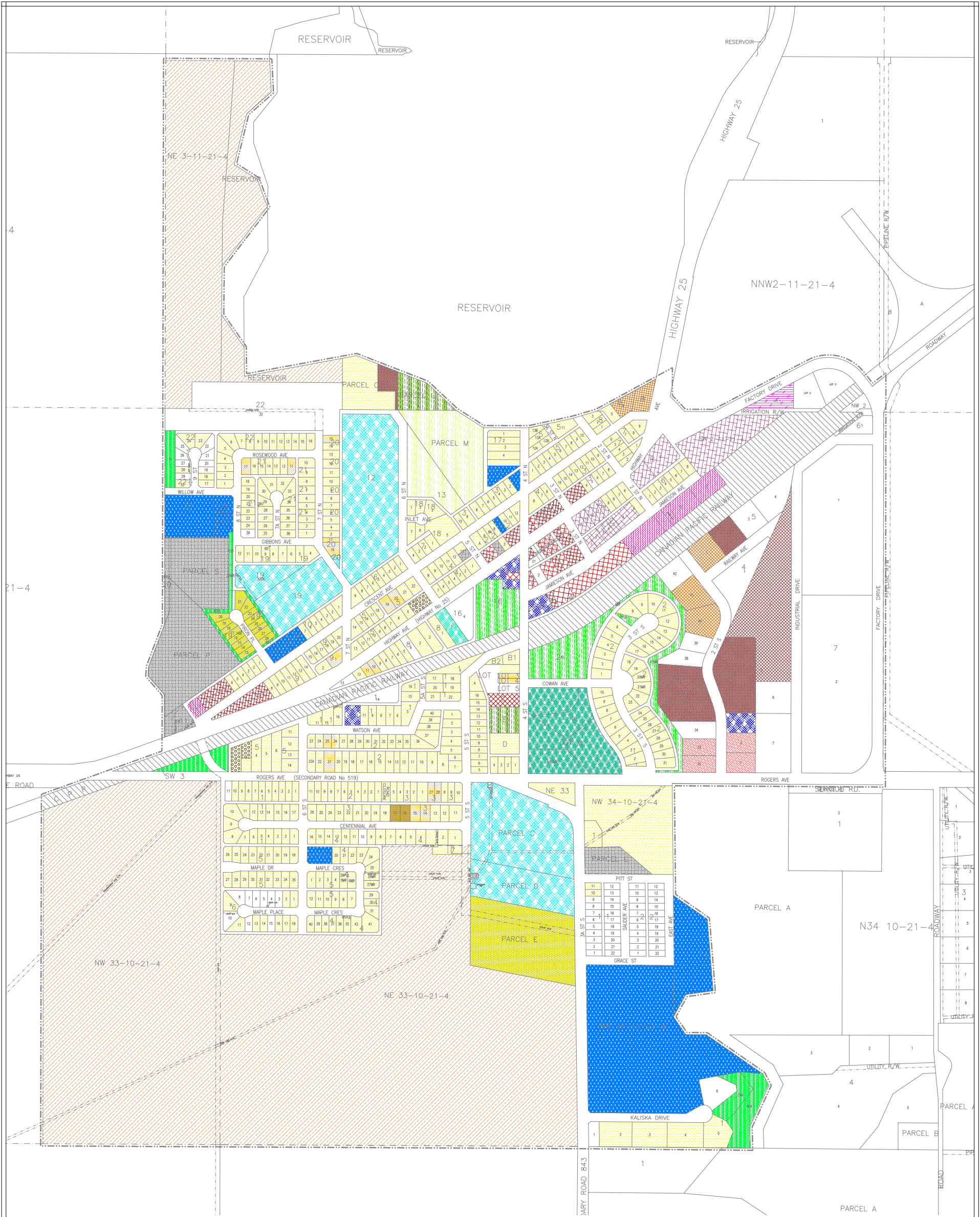
TOWN OF PICTURE BUTTE  
MUNICIPAL DEVELOPMENT PLAN  
REGIONAL LOCATION

Bylaw # 786-04, September 13, 2004

MAP 1







EXISTING LAND USE – July 2002

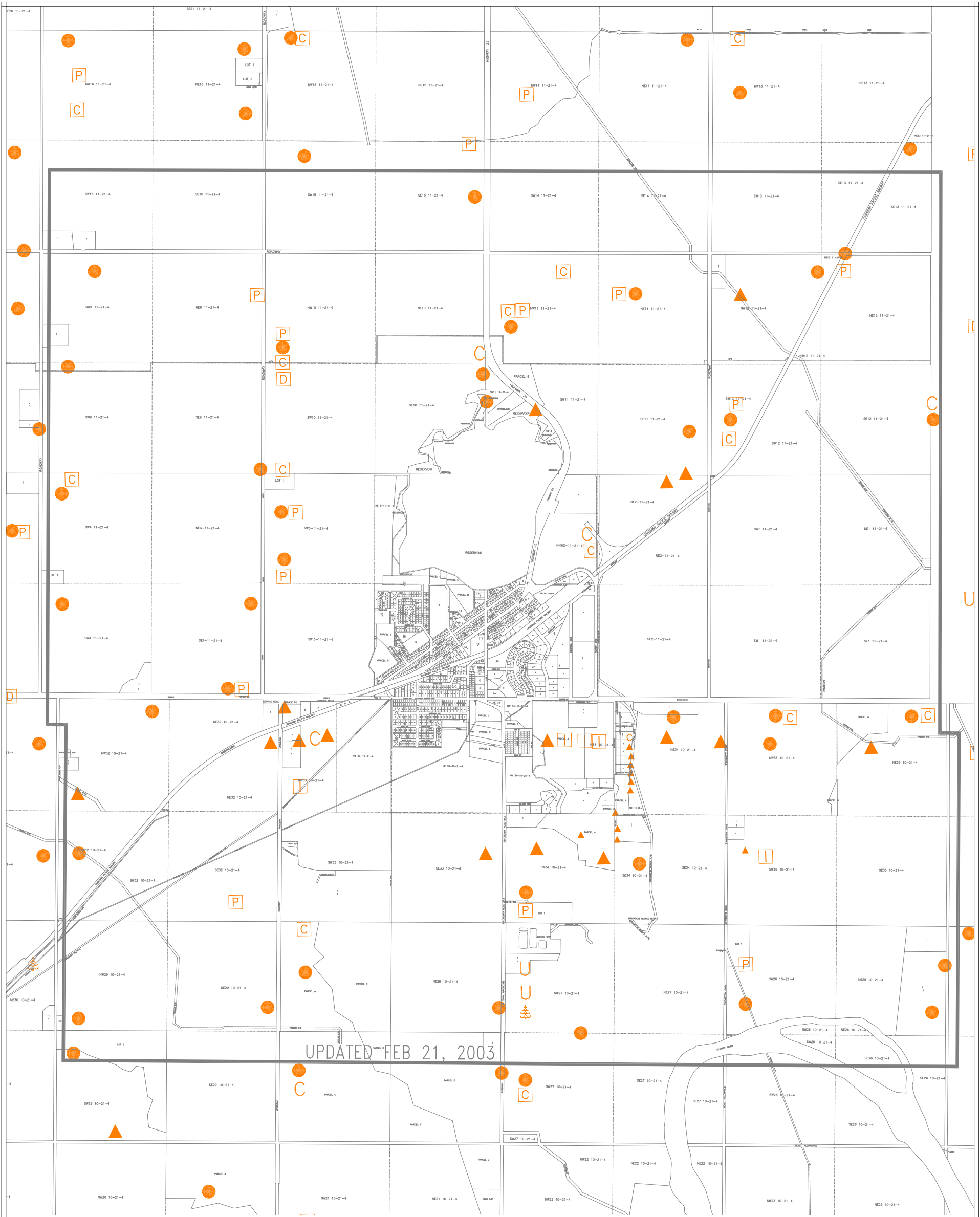
- |   |  |
|---|--|
| Residential-Single Family 1100 (44.5 ha)        | Public Institutional-Community 4300 (0.2 ha)           |
| Residential-2 Family 1200 (1.4 ha)              | Public Institutional-Hospital 4400 (3.3 ha)            |
| Residential-3-4 Family 1300 (0.2 ha)            | Public Institutional-Religious 4700 (12.5 ha)          |
| Residential-Multi Family 1400 (0.4 ha)          | Transport-Railway 5300 (9.9 ha)                        |
| Residential-Mobile Home 1600 (4.7 ha)           | Transport-Utilities 5500 (6.5 ha)                      |
| Commercial-Retail 2100 (1.2 ha)                 | Recreation/Open Space-Indoor Recreation 6300 (1.1 ha)  |
| Commercial-Wholesale 2200 (3.0 ha)              | Recreation/Open Space-Outdoor Recreation 6400 (3.5 ha) |
| Commercial-Service 2300 (1.3 ha)                | Recreation/Open Space-Parks 6500 (3.4 ha)              |
| Commercial-Transportation 2400 (0.7 ha)         | Recreation/Open Space-Open Green Space 6600 (2.4 ha)   |
| Commercial-Contracting 2500 (1.8 ha)            | Agriculture 7000 (87.5 ha)                             |
| Commercial-Building 2600 (1.2 ha)               | Roads/Lanes ROAD(42.5 ha)                              |
| Commercial-Warehouse 2700 (6.8 ha)              | Vacant V (29.0 ha)                                     |
| Industrial-Manufacturing                        | Municipal Boundary (284.8 ha)                          |
| -Food/Beverage/Durable Goods 3100 (0.3 ha)      |  |
| Industrial-Agicultural-Processing 3500 (1.3 ha) |  |
| Public Institutional-Educational 4100 (12.8 ha) |  |
| Public Institutional-Government 4200 (0.9 ha)   |  |

TOWN OF PICTURE BUTTE  
MUNICIPAL DEVELOPMENT PLAN  
EXISTING LAND USE - JULY 2002

Bylaw # 786-04, September 13, 2004

MAP 2

UTM ZONE-12, DATUM-NAD27  
N:\Lethbridge-County\Picture Butte\Picture Butte MDP\  
PButte MDP Map2-3-4.dwg  
October 28, 2004

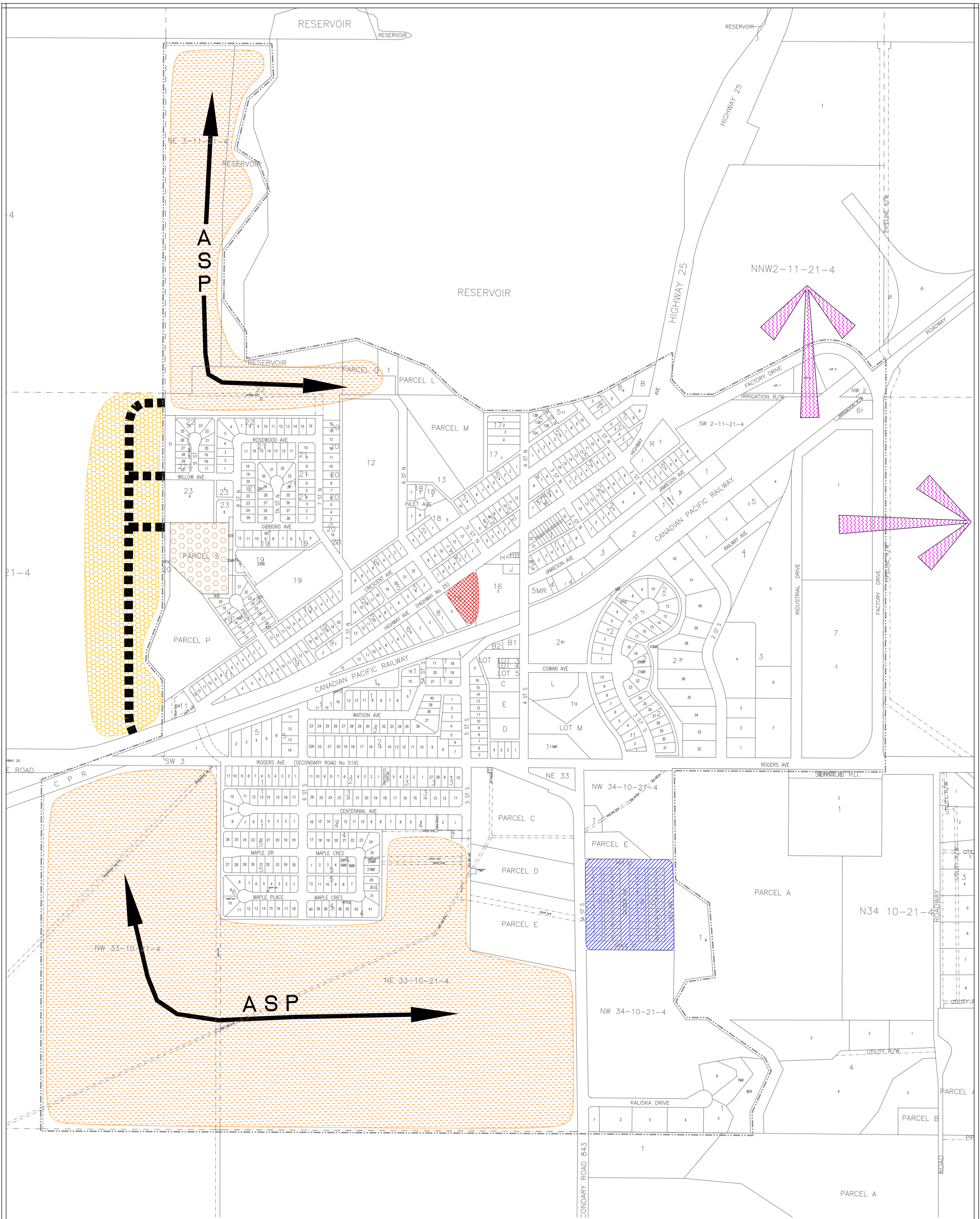


EXISTING LAND USE  
C COMMERCIAL  
▲ COUNTRY RESIDENCE  
● FARMSTEAD  
I INDUSTRIAL  
INTENSIVE LIVESTOCK  
C CATTLE  
D DAIRY  
P PIGS  
RECREATION  
U UTILITIES

TOWN OF PICTURE BUTTE  
MUNICIPAL DEVELOPMENT PLAN  
FRINGE AREA LAND USE - FEB 21, 2003  
Bylaw # 786-04, September 13, 2004

MAP 3





**TOWN OF PICTURE BUTTE**  
**MUNICIPAL DEVELOPMENT PLAN**  
**GUIDE MAP**  
Bylaw # 786-04, September 13, 2004

**MAP 4**

- First Priority For Residential Development, Policy 6.2.1.
- ASP** Need Area Structure Plan To Coordinate Development, Policy 6.2.2.
- Infill Housing Policy, 6.2.5.
- Additional Land For Housing, Policy 6.2.4.
- Prepare Design, Policy 6.2.7.
- New Road Connector, Policy 6.8.3.
- Possible Highway Commercial.
- Possible Industrial Expansion.

### **Bylaw No. 797-06 - Amendments**

Bylaw No.	Amendment Description	Passed
900-20	To allow unpaid expenses to be added to the Tax Roll after remaining unpaid for 90 days.	September 28, 2020

# **TOWN OF PICTURE BUTTE**

## **BYLAW # 797/06**

**A Bylaw of the Town of Picture Butte to regulate unsightly property and to require the timely removal of ice and snow from sidewalks.**

**WHEREAS** Section 7 of the Municipal Government Act R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people; the protection of people and property; nuisances, including unsightly property; services provided for by or on behalf of the municipality; public utilities; and the enforcement of bylaws;

**AND WHEREAS** the Council deems it necessary to provide for an efficient means of regulating and encouraging the abatement of unsightly premises within the Town of Picture Butte;

**AND WHEREAS** the Council deems it necessary to require the timely removal of ice and snow from the sidewalks located within the Town of Picture Butte;

**NOW, THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts as follows:

### **TITLE**

- 1) This Bylaw may be cited as the “Unsightly Property Bylaw”.

### **DEFINITIONS**

- 2) In this Bylaw, unless the context otherwise requires,
  - a) **“Act”** means the Municipal Government Act R.S.A. 200, c. M-26 and any regulations and amendments made under the Municipal Government Act;
  - b) **“Bylaw Enforcement Officer”** means a Person appointed to enforce the provisions of this Bylaw, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Special Constable.
  - c) **“Chief Administrative Officer”** means the person appointed to the position of Chief Administrative Officer by the Council of the Town of Picture Butte and includes any person that the Chief Administrative Officer may appoint as his designate for purposes of carrying out his responsibilities under this Bylaw and further includes any person that may be appointed to act in the absence of the Chief Administrative Officer;

- d) **“Council”** means the Municipal Council of the Town of Picture Butte;
- e) **“Designated Officer”** is defined under Section 210 of the Municipal Government Act;
- f) **“Improvement”** means a structure or anything attached or secured to a structure that would be transferred without special mention by a transfer or sale of the structure, including but not limited to a manufactured home or mobile home, or machinery or equipment;
- g) **“Occupant”** means any Person other than the Registered Owner who is in possession of the Property, including, but not restricted to, a lessee, licensee, tenant or agent of the Owner;
- h) **“Order”** means a document issued by a Designated Officer pursuant to the provisions of this Bylaw, or Section 545 or Section 546 of the *Act*, requiring any Person to take any action necessary to remedy the contravention of this Bylaw or the *Act*;
- i) **“Owner”** includes the Person shown as the owner on the Land Title for a property, the occupant of a premises, the lessee or tenant of a premises, the Condominium Board of a condominium property, a property management company that holds itself out as the Person responsible for the maintenance of a premises, or the owner or operator of a Commercial Operation, as the case may require;
- j) **“Person”** means any person, firm, partnership, association, corporation, company or organization of any kind.
- k) **“Property”** means a parcel of land, an improvement, or a parcel of land and the improvements to it;
- l) **“Structure”** means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land;
- m) **“Town”** means the Town of Picture Butte, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the Town of Picture Butte, as the context may require;
- n) **“Unsightly Property”** means property as described in Section 4 of this Bylaw;
- o) **“Violation Ticket”** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34. as amended or repealed and replaced from time to time, and any Regulations thereto.

## **UNSIGHTLY PROPERTY**

- 3) No Person being the Owner or Occupant of a Property within the Town of Picture Butte shall permit the Property to be or remain as an Unsightly Property.
- 4) Unsightly Property is Property that in the opinion of the Designated Officer, is detrimental to the surrounding area because of its unsightly condition as defined in Section 546 of the *Act*.
- 5) Some factors that may be considered by a Designated Officer in determining whether property is Unsightly Property include, but shall not be limited to, the following:
  - a) the presence of grass or weeds that exceed 20 centimeters (8 inches) in length;
  - b) the presence of trees or portions of trees that, due to a deterioration of condition or for any other reason, are a public safety hazard;
  - c) the outdoor presence of vehicles that are wrecked, dismantled or inoperable;
  - d) the outdoor presence of more than one vehicle that is not registered with the Motor Vehicle Registry for the current year;
  - e) the outdoor presence of a vehicle that is not parked in an off-street parking area as described in Schedule 8 of the Land Use Bylaw # 747;
  - f) the outdoor storage or accumulation of
    - i) waste from domestic, commercial or industrial activities,
    - ii) animal feces or carcass (in whole or part),
    - iii) litter,
    - iv) refuse (including but not limited to building materials, tires, boxes, dishes, empty tins, cartons, bottles, paper, scrap material),
    - v) equipment,
    - vi) dilapidated furniture or appliances,
    - vii) machinery or parts thereof,
    - viii) automotive parts,
    - ix) petroleum products,
    - x) hazardous materials, or
    - xi) other similar material or items;
  - g) specific or general lack of repair or maintenance including but not limited to:
    - i) significant deterioration of Improvements or portions of Improvements, or Structures within or on the Property;
    - ii) broken or missing windows, siding, shingles, shutters, eaves or other building materials;

- h) the location, zoning, use and visibility of property.

### **INSPECTION**

- 6) A Designated Officer may inspect Property in accordance with Section 542 of the *Act* for the purposes of determining whether:
  - a) Property is Unsightly Property under this Bylaw because its unsightly condition is detrimental to the surrounding area in accordance with Section 546 of the *Act*;
  - b) there has been compliance with an Order issued under Section 8 of this Bylaw; or
  - c) there has been compliance with an Order issued in accordance with subsection 546 (1) (c) of the *Act*.
- 7) The Town may apply to the Court of Queen's Bench to authorize inspection and enforcement in accordance with Section 543 of the *Act* if a Person refuses to allow or interferes with entry for inspection.

### **ORDER**

- 8) If, in the opinion of a Designated Officer, a Property is detrimental to the surrounding area because of its unsightly condition, the Designated Officer may issue a written Order in accordance with subsection 546 (1) (c) of the *Act* to the Owner or Occupant of the Property to improve the appearance of the Property in the manner specified, or if the property is a Structure, remove or demolish the structure and level the site.
- 9) The Order may
  - a) state a time, not to be less than seven (7) days from the date of the issuance of the Order, within which the Person must comply with the Order;
  - b) state that if the Person does not comply with the Order within a specified time, not to be less than seven (7) days from the date of issuance of the Order, the municipality will take the action or measure at the expense of the Person.
- 10) No Person shall fail to comply with an Order issued under Section 8 of this Bylaw within the time specified in the Order unless an appeal is made in accordance with Section 12 of this Bylaw.

### **REMEDY UNSIGHTLY CONDITION OF PROPERTY**

- 11) If an Order has been issued under Section 8 of this Bylaw and not complied with within the time period set out in that Order and an appeal has not been submitted in

accordance with Section 12 of this Bylaw, the Town may take whatever actions or measures are necessary to:

- a) deal with the unsightly condition of the Property in accordance with Section 550 of the *Act*; and
- b) collect any unpaid costs or expenses incurred by the Town in accordance with the *Act*.

The costs and expenses of the actions or measures taken by the Town are charged in addition to any penalty imposed under this Bylaw.

### **REVIEW OF ORDERS**

- 12) A Person who receives an Order under Section 8 of this Bylaw may, within 7 days after the date the Order is received, give written notice requesting council to review the Order.
- 13) After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.
- 14) No Person shall fail to comply with an Order that has been confirmed, varied, or substituted by Council within the time specified by Council unless an appeal is made in accordance with Section 15 of this Bylaw.

### **APPEAL TO COURT**

- 15) A Person affected by the decision of Council under Section 13 of this Bylaw may appeal to the Court of Queen's Bench in accordance with Section 548 of the *Act*.

### **SNOW OR ICE ON SIDEWALKS**

- 16) An Owner or Occupant shall ensure the removal of all snow and ice from any improved public sidewalk located adjacent to the Property owned or occupied by them, whether deposited by natural or unnatural means, within 24 hours of deposit.
- 17) For the purpose of Section 16 of this Bylaw, snow and ice will be considered removed when the sidewalk is cleared of snow and ice to the sidewalk surface as completely as reasonably possible for the entire width of the sidewalk, including private driveway crossings. Where a sidewalk is below grade resulting in repeated coverage by ice or water through drainage of melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and salt-free material, such as sand, must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians.
- 18) For the purpose of Section 16 of this Bylaw, where an Owner or Occupant reasonably anticipates being absent, the Owner or Occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.



- 19) If after 24 hours of deposit of snow or ice the Owner or Occupant has failed to remove all snow and ice in accordance with this Bylaw, the Town may remove or cause to be removed any snow or ice.
- 20) (Amended by Bylaw No. 900-20) Council will add unpaid expenses and costs incurred by the Town for removing the snow and ice in respect of the parcel of the land to the Tax Roll if they remain unpaid 90 days after the invoice has been issued.

### **OFFENCES AND PENALTIES**

- 21) Any Person who fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not more than \$5000.00 or in default of payment of the fine to imprisonment for a period not exceeding 6 months, or to both fine and imprisonment in such amounts.
- 22) The specified penalty payable in respect of a contravention of a specified provision of this Bylaw is as provided for in Schedule "A" of this Bylaw as may be amended by resolution of Council from time to time, said Schedule being hereby incorporated into and made part of this Bylaw.
- 23) A Bylaw Enforcement Officer is hereby authorized and empowered, at the Bylaw Enforcement Officer's discretion, to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 24) Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets may be issued by a Bylaw Enforcement Officer provided, however, that no more than one Violation Ticket shall be issued for each day the contravention continues.

### **SEVERABILITY**

- 25) It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.

### **REPEAL**

- 26) Bylaw # 542 - 80 and Bylaw # 565 – 81 and amendments thereto are hereby repealed.

### **EFFECTIVE DATE**

27) This Bylaw shall come into effect on the date of final passing thereof.

MOVED by Councillor Oliver that Bylaw 797-06 - Unsightly Premises being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a first time this 26<sup>th</sup> day of June, 2006.

CARRIED

MOVED by Mayor Stevens that Bylaw 797-06 – Unsightly Premises Bylaw being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a second time this 26<sup>th</sup> day of June, 2006.

CARRIED

MOVED by Councillor Hurkens for permission to proceed to third reading of the Unsightly Premises Bylaw, Bylaw 797-06 being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks.

CARRIED UNANIMOUSLY

MOVED by Councillor Sheen that Bylaw 797-06 – Unsightly Premises Bylaw being a Bylaw of the Town of Picture Butte to regulate unsightly premises and to require the timely removal of ice and snow from the sidewalks be read a third time this 26<sup>th</sup> day of June, 2006.

CARRIED

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Mayor

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Chief Administrative Officer

### **SCHEDULE “A”**

Section 3 – First Offence \$ 250.00

Section 3 – Subsequent Offences within 12 months \$ 500.00

Section 10 – First Offence \$ 500.00

Section 10 – Subsequent Offences within 12 months \$1000.00

Section 14 – First Offence \$1000.00

Section 14 – Subsequent Offences within 12 months \$2000.00

Section 16 – First Offence	\$ 150.00
Section 16 – Subsequent Offences within 12 months	\$ 300.00

Alberta Energy and Utilities Board  
10<sup>th</sup> Floor, 10055 – 106<sup>th</sup> Street  
Edmonton, Alberta  
T5J 2Y2

**RE:    RENEWAL OF A NATURAL GAS FRANCHISE AGREEMENT**

The Council of the Town of Picture Butte hereby applies to the Alberta Energy and Utilities Board for approval to renew a natural gas franchise agreement between the Town of Picture Butte and ATCO Gas and Pipelines Ltd.

Enclosed herewith is a copy of Bylaw No. 798-06 read the first time on the 23<sup>rd</sup> day of May, 2006.

The Council hereby declares:

- a) That the privilege or franchise granted under the natural gas franchise renewal agreement is necessary and proper for the public convenience and properly conserves the public interests.
- b) That the scheme of ATCO Gas and Pipelines Ltd. For the delivery of natural gas under the provisions of the natural gas franchise renewal agreement is reasonable and sufficient having regard to the general circumstances.
- c) That with respect to the delivery of natural gas to the Town of Picture Butte the natural gas utility has provided the construction, equipment, maintenance, service or operation as the public convenience and interests reasonably require.
- d) That having regard to the deliverability of natural gas in the area in which the Municipality is situated and to any other circumstances, the granting of the franchise or privilege in the natural gas franchise renewal agreement is to the general benefit of the area directly or indirectly affected thereby.
- e) That the natural gas supplier has fully discussed all proposed changes to the natural gas franchise agreement with the Council and the Council understands the reasons for this renewal and is in agreement with them.
- f) That the rights conferred by the Town of Picture Butte in the Agreement are not exclusive as against Her Majesty the Queen in the Right of the Province of Alberta.

Additionally, the Town of Picture Butte hereby consents to the matter being determined without a hearing if no objections are filed with the Alberta Energy and Utilities Board following published notice of the pending renewal agreement.

For the purposes of advertising notice, Sunny South News is the newspaper with the largest circulation with the Town of Picture Butte.

**DATED THIS 23<sup>rd</sup> DAY OF MAY A.D., 2006**

SIGNED:

\_\_\_\_\_  
(Mayor - Jon Stevens)

\_\_\_\_\_  
(Chief Administrative Officer – Norm McInnis)

**Bylaw No. 798-06**

A Bylaw of the Town of Picture Butte to authorize the Mayor and Chief Administrative Officer to execute an agreement with ATCO Gas and Pipelines Ltd., to renew an agreement with, and to confer a franchise on ATCO Gas and Pipelines Ltd. to deliver natural gas to customers within the Town of Picture Butte.

**WHEREAS** ATCO Gas and Pipelines Ltd. has requested a franchise be granted to provide gas services to customers within the Town of Picture Butte;

**AND WHEREAS** it is deemed that such an agreement would be of benefit to customers within the Town of Picture Butte;

**THEREFORE** under the authority of the Municipal Government Act, S.A. 1994, Chapter M-26.1, Part 3, Division 3, Section 45-47 be it enacted that the Mayor and the Chief Administrative Officer be authorized to sign the agreement which is attached to and forming part of this By-law and marked as Schedule “A” between the Town of Picture Butte and ATCO Gas and Pipelines Ltd to renew an agreement with and to confer a franchise on ATCO Gas and Pipelines Ltd. to deliver natural gas services within the Town of Picture Butte;

This Bylaw shall come into force upon the agreement being approved by the Alberta Energy and Utilities Board for the Province of Alberta, and upon being given Third reading and finally passed.

READ a First time this 22<sup>nd</sup> day  
of May, 2006

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Mayor –  
Jon Stevens

READ a Second time this 28<sup>th</sup> day of  
August, 2006

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Chief Administrative Officer –  
Norm McInnis

READ a Third time and finally  
passed this 28<sup>th</sup> day of August, 2006

TOWN OF PICTURE BUTTE  
BYLAW #818/09

A BYLAW OF THE TOWN OF PICTURE BUTTE to govern the appointment of Municipal Library Board members.

WHEREAS, the Council of the Town of Picture Butte wishes to comply with Part 1 of *The Alberta Libraries Act, Chapter L-11*, Amended 2006

NOW THEREFORE, pursuant to Section 7(f) of the *Municipal Government Act* of Alberta, Chapter M-26, the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

DEFINITIONS

- 1) "Council" means the Municipal Council of the Town of Picture Butte.
- 2) "Municipal Board" means the Picture Butte Municipal Library Board.

APPLICATION

- 3) A Municipal Board shall consist of not fewer than five and not more than ten members appointed by Council.
- 4) A person who is an employee of the Municipal Board is not eligible to be a member of that Board.
- 5) Not more than two members of Council may be members of the Municipal Board.
- 6) A member of the Municipal Board is eligible to be reappointed for only two additional consecutive terms of office, unless at least two-thirds of the whole Council passes a resolution stating that the member may be reappointed as a member for more than three consecutive terms.
- 7) Appointments to the Municipal Board shall be for a term of up to three years.
- 8) Notwithstanding Section 7, the term of office of a member continues until a member is appointed in that member's place.
- 9) Board member disqualification:
  - a. A person is disqualified from remaining a member of a Municipal Board if the person fails to attend, without being authorized by a resolution of the Municipal Board to do so, three consecutive regular meetings of the Municipal Board.
  - b. If a member of the Municipal Board is disqualified from remaining a member under subsection a, the person is deemed to have resigned the person's seat on the Municipal Board.

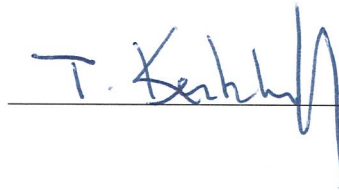
This Bylaw shall come into effect on the final day of passing thereof.

MOVED by Councilor Elaschuk that Bylaw #818/09 be read a first time this 27<sup>th</sup> day of July 2009.



MOVED by Councillor Jones that Bylaw #818/09 be read a second time this 24<sup>th</sup> day of August 2009.

MOVED by Councillor Nummi that Bylaw #818/09 be read a third time and finally passed this 24<sup>th</sup> day of August 2009.

A handwritten signature in blue ink, appearing to read "T. Kerkhoff", written over a horizontal line.

Terry Kerkhoff  
Mayor

A handwritten signature in black ink, appearing to read "Audrey R. Mortensen", written over a horizontal line.

Audrey R. Mortensen  
Chief Administrative Officer

**BYLAW NO. 819-09**  
**OF THE TOWN OF PICTURE BUTTE**  
(hereinafter referred to as “the Municipality”)  
**IN THE PROVINCE OF ALBERTA**

**This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of a debenture in the amount of \$1,200,000.00 for the purpose of constructing a regional water line.**

**WHEREAS:**

The Council of the Town of Picture Butte has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of a regional water line.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$1,200,000.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Provincial Grants	\$5,338,900.00
Debenture(s)	\$1,200,000.00
Total Cost	\$6,538,900.00

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$1,200,000.00 for a period not to exceed TWENTY (20) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty years.

The principal amount of the outstanding debt of the Municipality at December 31, 2008 is \$894,966.00 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of constructing the regional water line the sum of ONE MILLION, TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$1,200,000.00 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the construction of a regional water line.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed twenty (20) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed TEN (10%) percent.

- 4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
- 5. The indebtedness shall be contracted on the credit and security of the Municipality.
- 6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
- 7. This by-law comes into force on the date it is passed.

READ A FIRST TIME THIS 24th DAY OF AUGUST 2009.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

\_\_\_\_\_  
Terry Kerkhoff  
Mayor

\_\_\_\_\_  
Audrey R. Mortensen  
Chief Administrative Officer

## Schedule “C” Responsibilities

**AC** = Assistant Clerk from member municipality

**A** = Assessor from member Municipality

**C** = Clerk for Regional Board (ORRSC or as designated by Director)

	<b>Receipt of Appeal</b>
AC	<ul style="list-style-type: none"> <li>Collect fee</li> </ul>
AC	<ul style="list-style-type: none"> <li>Review appeal for validity/compliance with legislation</li> </ul>
AC	<ul style="list-style-type: none"> <li>Open file and send to Assessor &amp; Clerk</li> </ul>

	<b>Initial Stages</b>
A/AC	<ul style="list-style-type: none"> <li>Preliminary discussions and disclosure of information occurs between Complainant and Assessor</li> </ul>
A/AC	<ul style="list-style-type: none"> <li>Assessor advises Assistant Clerk if matter is resolved or proceeding to appeal</li> </ul>
AC	<ul style="list-style-type: none"> <li>If resolved, Assistant Clerk advises Clerk and administers withdraw in accordance with local practice (refund fee MGA Sec, 481(2))</li> </ul>
AC	<ul style="list-style-type: none"> <li>If proceeding, Assistant Clerk advises Clerk and forwards copy of all appeal documents</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk advises Regional Clerk of hearing location preference</li> </ul>

	<b>Confirmation of Receipt of Appeal</b>
C	<ul style="list-style-type: none"> <li>Review appeal for appeal type/validity/compliance with legislation</li> </ul>
C	<ul style="list-style-type: none"> <li>Determine if issue exists for merit hearing</li> </ul>

	<b>Assignment of Resources</b>
C	<ul style="list-style-type: none"> <li>Open file/identify all parties involved</li> </ul>
C	<ul style="list-style-type: none"> <li>Assign administrative support and Board members</li> </ul>
C	<ul style="list-style-type: none"> <li>Establish hearing date, schedule facility, Board members</li> </ul>

	<b>Send Notice of Hearing to Complainant</b>
C	<ul style="list-style-type: none"> <li>Copies to Assistant Clerk, Assessor and Minister (if CARB)</li> </ul>
C	<ul style="list-style-type: none"> <li>Copies if necessary to property owner, agent, lessee, etc...</li> </ul>

	<b>Disclosure</b>
AC/A	<ul style="list-style-type: none"> <li>Complainant provides first disclosure to Assistant Clerk and Assessor</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps submission and forwards a copy to Clerk</li> </ul>
A	<ul style="list-style-type: none"> <li>Assessor submits response to Assistant Clerk and Complainant</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps Assessor's submission and forwards a copy to Clerk</li> </ul>
AC	<ul style="list-style-type: none"> <li>Complainant provides rebuttal to Assistant Clerk and Assessor</li> </ul>
AC	<ul style="list-style-type: none"> <li>Assistant Clerk date stamps submission and forwards a copy to Clerk</li> </ul>

	<b>Agenda</b>
C	<ul style="list-style-type: none"> <li>Clerk verifies all disclosures</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk verifies attendance of all parties</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk produces agenda packages and provides copies at the hearing for members and public</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk liaises with Board and provides all material necessary – including legislation</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk prepares templates for minutes and decisions of Board</li> </ul>

	<b>Appeal Hearing</b>
C	<ul style="list-style-type: none"> <li>Clerk attends hearing and produces minutes that identify all issues presented to Board</li> </ul>
C	<ul style="list-style-type: none"> <li>Clerk attends deliberations and produces a decision from the Board that identifies all issues, arguments, reasons for the decision (including both conforming and dissenting reasons)</li> </ul>

	<b>Send Notice to Complainant</b>
C	<ul style="list-style-type: none"> <li>Copies to Assistant Clerk, Assessor and Minister (if CARB)</li> </ul>
C	<ul style="list-style-type: none"> <li>Copies if necessary to property owner, agent, lessee, etc...</li> </ul>

	<b>Reporting</b>
C	<ul style="list-style-type: none"> <li>Clerk provides Assistant Clerk with a reporting package of the appeal which includes:</li> </ul>
C	<ul style="list-style-type: none"> <li>– Invoice for services in accordance with agreement</li> </ul>
C	<ul style="list-style-type: none"> <li>– Copy of hearing minutes</li> </ul>
C	<ul style="list-style-type: none"> <li>– Statistics (where necessary)</li> </ul>
C	<ul style="list-style-type: none"> <li>– Feedback form to establish best practices and service standards for quality control</li> </ul>
C	<ul style="list-style-type: none"> <li>– Clerk compiles and retains a record of the hearing in accordance with legislation and regulations</li> </ul>

## **Schedule “D” Fees**

### **Regional Assessment Board Annual Dues**

Each municipal member shall be invoiced a \$200 administrative fee annually, payable to Oldman River Regional Services Commission.

### **Remuneration**

Board Members shall receive honorariums for adjudicating at formally scheduled Hearings or taking appropriate training. Honorariums shall be awarded on the following basis:

MERIT Half day – Four (4) hour block \$100.00

MERIT Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

LARB Half day – Four (4) hour block \$100.00

LARB Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

CARB Half day – Four (4) hour block \$200.00

CARB Full day – Four plus (4+) hour block, excluding lunch hour \$400.00

Board Members and the Designated Officer shall receive compensation for travel based on the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation for performing adjudication duties or taking appropriate training.

Board Members and the Designated Officer shall receive reimbursement for meals incurred while performing adjudication duties or taking appropriate training. A reasonable meal allowance will be offered and will most often be authorized and organized by the Designated Officer.

Guidance to limitations can be derived from the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation.

Board Members and the Designated Officer shall receive reimbursement for any lodging accommodations required while performing adjudication duties or taking appropriate training.

Provincial Members shall receive reimbursement for all expenses incurred and at the rates prescribed by the Province.

### **Category of Complaint Fee**

Filing fees are determined and collected by individual Municipalities through either a Fees Bylaw or Fee Policy.

In response to recent provincial legislation, the affected Municipality will refund assessment complaint fees when the board or (on appeal) the Court of Queen's Bench decides in favour of the complainant. The fee will also be refunded if a complaint is withdrawn because agreement was reached with an assessor to correct the matter under complaint.

The following fees are suggested, but are NOT mandatory:

Residential 3 or fewer dwellings and farm land – \$50.00

Residential 4 or more dwellings – \$650.00

Non-residential – \$650.00

Business Tax – \$50.00

Tax Notices (other than business tax) – \$30.00

Linear property-power generation – \$650.00 per facility

Linear Property – other \$650.00 per LPAUID

Equalized assessment – \$650.00



**TOWN OF PICTURE BUTTE**

**BYLAW 832-13**

**A BYLAW IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE NUMBER OF COUNCILLORS WHO SERVE ON TOWN COUNCIL AS PROVIDED BY THE *MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26***

**WHEREAS** there are presently seven (7) council members, including the chief elected official, on the municipal council of the Town of Picture Butte;

**AND WHEREAS** Section 143(2) of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, 2000, states the "The council of a city or town consist of seven (7) councillors unless the council passes a bylaw specifying a higher or lower odd number;

**AND WHEREAS** Council deems it adequate that the Town of Picture Butte council should consist of five (5) councillors including the chief elected official;

**AND WHEREAS** notice of intention to pass this bylaw has been advertised in accordance with Section 144(3) of the Municipal Government Act, Chapter M26 of the Revised Statutes of Alberta, 2000.

**NOW, THEREFORE**, the Municipal Council of the Town of Picture Butte, duly assembled, thereby enacts as follows:

1. THAT for the purposes of the October 2013 general municipal election and thereafter, Picture Butte Town Council shall be comprised of five (5) councillors, one of whom is the chief elected official.

This bylaw shall come into force and effect upon third and final reading.

READ A FIRST TIME in open council this 8<sup>th</sup> day of April, 2013

READ A SECOND TIME in open council this 22<sup>nd</sup> day of April, 2013

READ A THIRD AND FINAL TIME in open council this 22<sup>nd</sup> day of April, 2013

**TOWN OF PICTURE BUTTE**

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**MAYOR**

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**CAO**

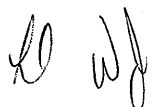
**BY-LAW NO. 840-15**  
**A BY-LAW OF THE TOWN OF PICTURE BUTTE**  
**IN THE PROVINCE OF ALBERTA**  
**"MUNICIPAL EMERGENCY MANAGEMENT BYLAW"**

WHEREAS the Council of the Town of Picture Butte is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of December 11, 2013), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This By-law may be cited as the Municipal Emergency Management By-law.
2. In this By-law,
  - (a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - (b) "Chief Administrative Officer" means the Town manager as defined by section 207 of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26
  - (c) "Council" means the Council of the Town of Picture Butte;
  - (d) "disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;

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- (e) "Emergency Advisory Committee" means the committee established under this By-law;
  - (f) "emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
  - (g) "Minister" means the Minister charged with administration of the Act;
  - (h) "Municipal Emergency Management Agency" means the agency established under this By-law; and
  - (i) "Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 12 of this By-law.
5. Council shall
- (a) by resolution, appoint the Mayor, the Deputy mayor, the Director of Emergency Management, the Chief Administrative Officer, the Director of Operations, the Fire Chief, a public member at large to serve on the Emergency Advisory Committee;
  - (b) provide for the payment of expenses of the members of the Emergency Advisory Committee;
  - (c) by resolution, on the recommendation of the Emergency Advisory Committee, appoint a Director of Emergency Management;
  - (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Picture Butte;



- (e) approve the Town of Picture Butte's emergency plans and programs; and
- (f) Shall appoint the Chief Administrative Officer as the Deputy Director of Emergency Management.
- (g) review the status of the Municipal Emergency Management Program and related plans and programs at least once each year.

6. Council may

- (a) by By-law borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
- (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid agreements and/or regional plans and programs.
- (c) on the recommendation of the Emergency Advisory Committee, appoint one or more Deputy Director(s) of Emergency Management" who shall do those things required of the Director of Emergency Management in that person's absence;

7. The Emergency Advisory Committee shall

- (a) review the Municipal Emergency Management Program and related plans on a regular basis; and
- (b) advise Council, duly assembled, on the status of the Municipal Emergency Management Program and related plans and at least once each year.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of a large initial 'P' followed by a surname that is partially legible as 'Wf'.

8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:

- (a) the Director of Emergency Management;
- (b) The Chief Administrative Officer;
- (c) The Fire Chief or designate;
- (d) Team Lead Picture Butte Emergency Services;
- (e) the Director of Operations;
- (f) The RCMP Sgt.
- (g) the Social Services Manager or designate;

9. The Director of the Emergency Management Agency shall

- (a) prepare and co-ordinate the Municipal Emergency Management Program and related plans for the Town of Picture Butte;
- (b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
- (c) authorize and co-ordinate all emergency services and other resources required during an emergency; or
- (d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).

10. The power to declare or renew a state of local emergency, the powers specified in Section 12 of this By-law, and the requirement specified in Section 15 of this By-law, are hereby delegated to a committee comprised of the Mayor, or in his/her absence the Deputy Mayor, and a Councillor. This committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of two main parts, possibly initials or a name, written in a cursive-like script.

11. When a state of local emergency is declared, the persons making the declaration shall
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
  - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
  - (c) forward a copy of the declaration to the Minister forthwith.
12. Subject to Section 15, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following;
- (a) cause the Municipal Emergency Plan or any related plans or programs to be put into operation;
  - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - (c) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
  - (d) control or prohibit travel to or from any area of the Town;
  - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Town;
  - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
  - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
  - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the





scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;

- (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the state of emergency;
- (j) authorize the conscription of persons needed to meet an emergency; and
- (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

13. When a state of local emergency is declared,

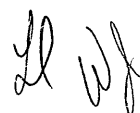
- (a) neither Council nor any member of Council, and
- (b) no person appointed by Council to carry out measures relating to emergencies or disasters,

are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this By-law, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.

14. When, in the opinion of the local authority declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the local authority shall, by resolution, terminate the declaration.

15. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when

- (a) a resolution is passed under Section 15;
- (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- (c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
- (d) the Minister cancels the state of local emergency.



16. When a declaration of a state of local emergency has been terminated, the local authority who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

18. Bylaw No. **440/74** passed on September 9th / 1974, dealing with Disaster Services or Emergency Management is hereby rescinded.

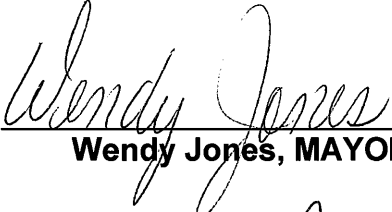
This Bylaw comes into force on the day it is finally passed.

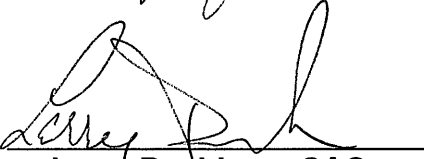
Read a first time this 25 day of May, A.D., 2015.

Read a second time this 25 day of May, A.D., 20  .

Read a third time and finally passed this 25 day of May, A.D., 2015.

**TOWN OF PICTURE BUTTE**

  
Wendy Jones, MAYOR

  
Larry Davidson, CAO



# TOWN OF PICTURE BUTTE



## LAND USE BYLAW NO. 841-15

**November 2015**

Consolidated to Bylaw No. 871-18, July 2018



Prepared by



**TOWN OF PICTURE BUTTE**  
**BYLAW NO. 841-15**

**BEING** a bylaw of the Town of Picture Butte, in the Province of Alberta, to adopt a updated and new Land Use Bylaw;

**WHEREAS** Section 639 of the Municipal Government Act requires the passage of a Land Use Bylaw;

**AND WHEREAS** the Council of the Town of Picture Butte wishes to adopt a new Land Use Bylaw for the purposes of:

- updating and establishing standards and processes regarding the use and development of land within the municipality as the present bylaw was originally adopted in 1998;
- incorporating new land use district uses and standards for certain types of uses within the Town, including but not limited to: Secondary Suites, Home Occupations, Manufactured Homes, Ready-to-Move Homes, Multi-unit Housing, Accessory Buildings and Structures, Shipping Containers, Day Care and Day Homes, Signage, Solar and Small Wind Energy Systems;
- expanding and clarifying when a development permit is required and what uses may be exempt;
- expanding the Administrative section of the bylaw, to provide more detail and clear regulations pertaining to processing, public notification, making decisions, and applying conditions to development permit applications;
- amending the existing Land Use District Map to reflect land use designations (zonings);
- complying with the provisions of the South Saskatchewan Regional Plan and Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

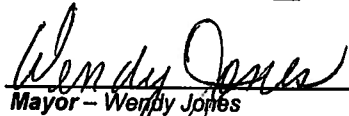
**AND WHEREAS** the land use bylaw is intended to foster orderly growth and development in the Town of Picture Butte;

**AND WHEREAS** the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

**THEREFORE** under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte duly assembled does hereby enact the following:

1. Bylaw No. 747 being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 841-15 shall come into effect upon third and final reading thereof.
3. Bylaw No. 841-15 is hereby adopted.

READ a **first** time this 13 day of October, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

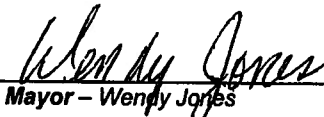
  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

READ a **second** time this 9<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

READ a **third** time and finally passed this 9<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson



## Town of Picture Butte Land Use Bylaw No. 841-15 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
844-16	“Residential Multi-Unit – R5” to “Direct Control – DC”; Add specific standards for the Direct Control district	Block L, Plan 8774HS	14-Mar-2016
853-16	“Highway Commercial – C-2” to “Residential – R-1”	Lot 5, Block 8, Plan 7810085	26-Sep-2016
868-18	Various text amendments to regulate and clarify the regulations pertaining to extensive agriculture, the keeping of livestock and manure spreading within town limits		28-May 2018
871-18	Various text amendments pertaining to the receiving, processing and notification of development and subdivision applications;  Various text amendments regarding Cannabis Production Facilities and Retail Cannabis Stores		23-Jul-2018





# TABLE OF CONTENTS

<b>PART 1</b>	<b>ADMINISTRATION</b>	Part 1   1
1.	TITLE	Part 1   1
2.	DATE OF COMMENCEMENT	Part 1   1
3.	REPEAL OF FORMER LAND USE BYLAW	Part 1   1
4.	AMENDMENTS TO THE BYLAW	Part 1   1
5.	SEVERABILITY	Part 1   2
6.	COMPLIANCE WITH THE LAND USE BYLAW	Part 1   2
7.	COMPLIANCE WITH OTHER LEGISLATION	Part 1   2
8.	RULES OF INTERPRETATION	Part 1   2
9.	DEFINITIONS	Part 1   2
10.	APPLICATION FEES	Part 1   2
11.	APPENDICES	Part 1   3
12.	METRIC MEASUREMENTS AND STANDARDS	Part 1   3
	<b>APPROVING AUTHORITIES</b>	
13.	DEVELOPMENT AUTHORITY	Part 1   3
14.	DEVELOPMENT OFFICER – POWERS AND DUTIES	Part 1   4
15.	MUNICIPAL PLANNING COMMISSION – POWERS AND DUTIES	Part 1   5
16.	SUBDIVISION AUTHORITY	Part 1   6
17.	SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)	Part 1   6
	<b>LAND USE DISTRICTS AND DEVELOPMENT IN GENERAL</b>	
18.	LAND USE DISTRICTS	Part 1   6
19.	DEVELOPMENT IN MUNICIPALITY GENERALLY	Part 1   7
20.	DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT	Part 1   7
21.	NON-CONFORMING USES AND BUILDINGS	Part 1   7
22.	NUMBER OF DWELLINGS ON A LOT	Part 1   8
23.	SUITABILITY OF SITES	Part 1   8
24.	DEVELOPMENT AGREEMENTS	Part 1   9
	<b>DEVELOPMENT PERMIT RULES AND PROCEDURES</b>	
25.	DEVELOPMENT PERMIT APPLICATIONS	Part 1   10
26.	40-DAY TIME EXTENSIONS	Part 1   10
27.	INCOMPLETE APPLICATIONS	Part 1   10
28.	PROCESSING PERMITTED USE APPLICATIONS	Part 1   11

29. PROCESSING DISCRETIONARY USE APPLICATIONS .....	Part 1   12
30. PROCESSING APPLICATIONS REQUIRING WAIVERS .....	Part 1   13
31. SIMILAR USE APPLICATIONS .....	Part 1   14
32. TEMPORARY USE APPLICATIONS .....	Part 1   14
33. NOTIFICATION FOR DEVELOPMENT APPLICATIONS .....	Part 1   15
34. CONDITIONS .....	Part 1   15
35. DEVELOPMENT PERMIT NOTIFICATION .....	Part 1   15
36. COMMENCEMENT OF DEVELOPMENT .....	Part 1   16
37. PERMIT COMMENCEMENT .....	Part 1   17
38. DEEMED REFUSAL .....	Part 1   17
39. PERMIT TRANSFERABILITY .....	Part 1   17
40. REAPPLICATION .....	Part 1   18
41. SUSPENSION OF A DEVELOPMENT PERMIT .....	Part 1   18

#### **ENFORCEMENT PROCESS**

42. NOTICE OF VIOLATION .....	Part 1   18
43. STOP ORDERS .....	Part 1   19
44. ENFORCEMENT OF STOP ORDERS .....	Part 1   19
45. PENALTIES AND RIGHT OF ENTRY .....	Part 1   19
46. DEVELOPMENT APPEALS .....	Part 1   20
47. REFERRALS TO LETHBRIDGE COUNTY .....	Part 1   20
48. DEVELOPMENT COMMENCEMENT AND COMPLETION NOTIFICATION .....	Part 1   20
49. CONTRAVENTION OF BYLAW .....	Part 1   20

#### **LAND USE BYLAW AMENDMENTS**

50. AMENDMENTS TO THE LAND USE BYLAW .....	Part 1   20
51. LAND USE REDESIGNATION APPLICATION REQUIREMENTS .....	Part 1   21
52. REDESIGNATION CRITERIA .....	Part 1   22

#### **SUBDIVISION APPLICATION RULES AND PROCEDURES**

53. SUBDIVISION APPLICATIONS .....	Part 1   22
54. INCOMPLETE SUBDIVISION APPLICATIONS .....	Part 1   23

### **PART 2 LAND USE DISTRICTS, MAP AND REGULATIONS .....**

RESIDENTIAL – R1 .....	Part 2 (R1)   1
MANUFACTURED HOME – R2 .....	Part 2 (R2)   1
LARGE LOT RESIDENTIAL – R3 .....	Part 2 (R3)   1
RESIDENTIAL SMALL LOT – R4 .....	Part 2 (R4)   1
RESIDENTIAL MULTI-UNIT – R5 .....	Part2 (R5)   1

RETAIL COMMERCIAL – C1 .....	Part 2 (C1)   1
HIGHWAY COMMERCIAL – C2 .....	Part 2 (C2)   1
INDUSTRIAL – I .....	Part 2 (I)   1
PUBLIC – P .....	Part 2 (P)   1
URBAN RESERVE – UR .....	Part 2 (UR)   1
DIRECT CONTROL – DC .....	Part 2 (DC)   1
<b>PART 3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT .....</b>	<b>Part 3   1</b>
<b>PART 4 STANDARDS OF DEVELOPMENT .....</b>	<b>Part 4   1</b>
<b>A. GENERAL USE PROVISIONS .....</b>	<b>Part 4   1</b>
1. QUALITY OF DEVELOPMENT .....	Part 4   1
2. DESIGN, CHARACTER AND APPEARANCE .....	Part 4   1
3. DEVELOPMENT ON NON-CONFORMING SIZED LOTS .....	Part 4   2
4. STREET CORNER VISIBILITY .....	Part 4   2
5. RETAINING WALLS, GRADING AND DRAINAGE .....	Part 4   3
6. MULTIPLE FRONT YARD PROVISION .....	Part 4   3
7. REFUSE COLLECTION AND STORAGE .....	Part 4   3
8. DRIVEWAYS .....	Part 4   4
9. FENCES .....	Part 4   4
10. BUILDING SETBACKS .....	Part 4   5
11. LANDSCAPING STANDARDS AND SCREENING .....	Part 4   5
12. ACCESSORY USE – AIR CONDITIONERS .....	Part 4   7
13. SERVICING .....	Part 4   7
14. HAZARDOUS CHEMICAL STORAGE .....	Part 4   8
15. OUTDOOR FUEL STORAGE .....	Part 4   8
16. EASEMENTS .....	Part 4   8
17. CONSTRUCTION HOARDING .....	Part 4   8
18. SITE LIGHTING .....	Part 4   8
19. COMMERCIAL AND INDUSTRIAL USE STANDARDS .....	Part 4   8
20. PARKING AND LOADING AREA REQUIREMENTS .....	Part 4   9
21. ARCHITECTURAL CONTROLS .....	Part 4   13
22. SITE PLANS .....	Part 4   13
23. HAZARD LANDS .....	Part 4   13
24. SETBACKS FROM ABANDONED WELLS .....	Part 4   13
<b>B. SPECIFIC USE PROVISIONS .....</b>	<b>Part 4   14</b>
25. ALTERNATIVE ENERGY SOURCES .....	Part 4   14
26. BED AND BREAKFASTS .....	Part 4   15

27. CAR AND TRUCK WASH FACILITIES .....	Part 4   15
28. DAY CARE (BOTH CHILD AND ADULT CARE FACILITIES) .....	Part 4   16
29. DAY HOME .....	Part 4   17
30. GROUP CARE OR GROUP HOME FACILITY .....	Part 4   18
31. HOME OCCUPATIONS .....	Part 4   19
32. MANUFACTURED DWELLINGS .....	Part 4   21
33. READY-TO-MOVE DWELLINGS (NEW) .....	Part 4   24
34. MOVED-IN DWELLINGS AND BUILDINGS .....	Part 4   25
35. PORTABLE GARAGES AND COVERED STORAGE STRUCTURES .....	Part 4   26
36. PRIVATE SWIMMING POOLS .....	Part 4   27
37. SATELLITE OR COMMUNICATION ANTENNAS/DISH OF GREATER THAN 0.9 METRE (3 FT.) IN DIAMETER .....	Part 4   28
38. SECONDARY SUITES .....	Part 4   28
39. SERVICE STATIONS AND GAS BARS .....	Part 4   28
40. SHIPPING CONTAINERS (OR C-CONTAINERS, SEA-CONTAINERS) .....	Part 4   30
41. SOLAR COLLECTOR .....	Part 4   31
42. SMALL WIND ENERGY SYSTEMS .....	Part 4   32
43. TELECOMMUNICATION ANTENNA SITING PROTOCOLS .....	Part 4   35
44. CANNABIS PRODUCTION FACILITY .....	Part 4   35
45. RETAIL CANNABIS STORE .....	Part 4   36

<b>PART 5 SIGN REGULATIONS .....</b>	<b>Part 5   1</b>
1. ADMINISTRATION .....	Part 5   1
2. SIGNS NOT REQUIRING A PERMIT .....	Part 5   1
3. PROHIBITED SIGNS .....	Part 5   2
4. APPLICATION REQUIREMENTS .....	Part 5   3
5. GENERAL STANDARDS FOR SIGNS .....	Part 5   4
6. PORTABLE SIGNS .....	Part 5   5
7. OFF-PREMISES SIGNS .....	Part 5   5
8. TEMPORARY SIGNS .....	Part 5   5
9. PROJECTING SIGNS (CANOPY, ROOF, PROJECTING, SHINGLE, OVERHANGING).....	Part 5   6
10. MULTI-TENANT SIGNS .....	Part 5   7
11. DIRECTIONAL AND INFORMATIONAL SIGNS .....	Part 5   8
12. WINDOW SIGNS .....	Part 5   8
13. FREESTANDING SIGNS .....	Part 5   8
14. FASCIA AND WALL SIGNS .....	Part 5   9
15. DIGITAL / ANIMATED / CHANGEABLE CONTENT SIGNS .....	Part 5   10

16. BALLOON SIGNS .....	Part 5   10
17. OTHER SIGNS .....	Part 5   10
18. SIGN DEFINITIONS .....	Part 5   11
<b>PART 6 DEFINITIONS .....</b>	<b>Part 6   1</b>
<b>Appendix A Fees</b>	
<b>Appendix B Forms and Applications</b>	
RESIDENTIAL DEVELOPMENT PERMIT APPLICATION	
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION	
HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION	
SIGN DEVELOPMENT PERMIT APPLICATION	
DEMOLITION PERMIT APPLICATION	
APPLICATION FOR A LAND USE BYLAW AMENDMENT	
TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST	
<b>Appendix C Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol</b>	
<b>Appendix D Planning Bylaws</b>	
SUBDIVISION AUTHORITY BYLAW NO. 724/95	
DEVELOPMENT AUTHORITY BYLAW NO. 725/95	
SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 726/95	





## PART 1

### ADMINISTRATION



# TOWN OF PICTURE BUTTE

## LAND USE BYLAW NO. 841-15

BYLAW NO. 841-15 OF THE TOWN OF PICTURE BUTTE IS FOR THE PURPOSE OF ADOPTING THE LAND USE BYLAW IN ACCORDANCE WITH THE *MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED (MGA)*.

WHEREAS the Council of the Town of Picture Butte intends to foster orderly growth and development within the town; and

WHEREAS the *Municipal Government Act* allows municipalities to implement land use controls through a Land Use Bylaw;

NOW THEREFORE the Council of the Town of Picture Butte hereby enacts the following:

### PART 1

## ADMINISTRATION

---

#### 1. TITLE

This Bylaw may be cited as the Town of Picture Butte Land Use Bylaw No. 841-15.

#### 2. DATE OF COMMENCEMENT

This Bylaw shall come into effect upon third and final reading thereof.

#### 3. REPEAL OF FORMER LAND USE BYLAW

Bylaw No. 747 as amended, being the current Land Use Bylaw of the Town of Picture Butte, is repealed upon third and final reading of this Bylaw.

#### 4. AMENDMENTS TO THE BYLAW

- (1) The Council may amend this Bylaw at any time in accordance with the procedures detailed in section 692 of the *Municipal Government Act (MGA)*.
- (2) The public may make application to Council to amend this Bylaw in accordance with the procedures outlined in [Section 50](#) of this Bylaw.

## **5. SEVERABILITY**

If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

## **6. COMPLIANCE WITH THE LAND USE BYLAW**

- (1) No development, other than those designated in [Part 3](#), of this Bylaw (Development Not Requiring a Development Permit), shall be undertaken within the Town unless a development application has been approved and a development permit has been issued.
- (2) Notwithstanding [Section 6\(1\)](#), while a development permit may not be required pursuant to [Part 3](#), development shall comply with all regulations of this Bylaw.

## **7. COMPLIANCE WITH OTHER LEGISLATION**

Compliance with the requirements of this Bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

## **8. RULES OF INTERPRETATION**

- (1) Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Interpretation Act, Chapter I-8, RSA 2000 as amended*, shall be used in the interpretation of this Bylaw. Words have the same meaning whether they are capitalized or not.
- (2) The written regulations of this Bylaw take precedence over any graphic or diagram if there is a perceived conflict.
- (3) The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.

## **9. DEFINITIONS**

See [Part 6](#) – Definitions.

## **10. APPLICATION FEES**

- (1) Application fees are prescribed by Council under a separate bylaw. Refer to [Appendix A](#).
- (2) Refund or adjustment of prescribed fees requires the approval of Council.
- (3) Whenever an application is received for a development or use not listed in [Appendix A](#), the amount of the fee shall be determined by the Development Officer or the Municipal Planning Commission and shall be consistent with those fees listed in the Fee Schedule.

## 11. APPENDICES

Appendices A through D attached hereto are for information purposes only and do not form part of this Bylaw.

## 12. METRIC MEASUREMENTS AND STANDARDS

The metric standards in this Bylaw are applicable. Imperial standards are provided only for convenience.

## APPROVING AUTHORITIES

---

### 13. DEVELOPMENT AUTHORITY

- (1) The Development Authority is established by separate bylaw pursuant to section 624 the *MGA* and for the purposes of the Town of Picture Butte Land Use Bylaw, is the Development Officer and the Municipal Planning Commission.
- (2) Council shall decide upon development applications within any Direct Control district, unless specifically delegated by bylaw to the Municipal Planning Commission or the Development Officer, or another designate(s).
- (3) In accordance with section 210 of the *MGA* and for the purpose of this Bylaw the Development Officer is the Designated Officer.
- (4) In the absence of the designated Development Officer, the following are authorized to act in the capacity of Development Officer:
  - (a) Municipal Planning Commission,
  - (b) Chief Administrative Officer,
  - (c) Chief Administrative Officer designate, or
  - (d) a designate(s) in accordance with the *MGA*.
- (5) The Development Officer is an authorized person in accordance with section 624 of the *MGA*.
- (6) The Development Authority shall perform such powers and duties as are specified:
  - (a) in the Town of Picture Butte Development Authority or Municipal Planning Commission Bylaw,
  - (b) in this Bylaw,
  - (c) in the *Municipal Government Act*,
  - (d) where applicable, by resolution of Council.
- (7) Unless otherwise required by the context, words used to refer to the Development Authority in this Bylaw are to include both the Development Officer and the Municipal Planning Commission.

#### 14. DEVELOPMENT OFFICER – POWERS AND DUTIES

- (1) The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.
- (2) The Development Officer is responsible for:
  - (a) receiving, processing, deciding upon and referring applications for a development permit in accordance with this Bylaw and determining whether a development permit application is complete in accordance with [Section 25 of Part 1](#);
  - (b) may decide upon or refer applications to the Municipal Planning Commission in accordance with [Sections 28-32](#) of this Bylaw;
  - (c) maintaining a register of all applications together with their disposition and other relevant details;
  - (d) shall consider and decide on applications for a development permit for permitted uses that comply with this Land Use Bylaw;
  - (e) except as provided in [Sections \(2\)\(f\), \(g\) and \(h\)](#), may consider and decide on applications for a development permit for:
    - (i) permitted uses that request one limited variance of a measurable standard not to exceed 10 percent;
    - (ii) discretionary uses identified under “Discretionary Uses, Type B – Development Officer” in the applicable land use district;
    - (iii) discretionary uses identified under “Discretionary Uses, Type B – Development Officer” that request one limited variance of a measurable standard not to exceed 10 percent;
    - (iv) permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval;
    - (v) temporary uses in accordance with [Part 1, Section 32](#);
    - (vi) landscaping;
    - (vii) fences, walls or other types of enclosures; and
    - (viii) demolition;
  - (f) shall refer to the Municipal Planning Commission, with recommendations, all development permit applications for which decision making authority has not been assigned to the Development Officer;
  - (g) may refer any development application to the Municipal Planning Commission for a decision and may refer any other planning or development matter to the Municipal Planning Commission for its review, comment or advice;
  - (h) shall refer all development applications in a Direct Control District to Council for a decision, unless Council has specifically delegated approval authority to the Development Officer or the Municipal Planning Commission;

- (i) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with **Part 1, Section 35** of this Bylaw;
- (j) shall receive, review, and refer any applications to amend this Bylaw to Council;
- (k) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with this Bylaw;
- (l) may receive and consider and decide on requests for time extensions for Development Permits which the Development Officer has approved and shall refer to the Municipal Planning Commission those requests which the Municipal Planning Commission has approved;
- (m) shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Planning Commission considers necessary;
- (n) and shall perform any other powers and duties as are specified in this Bylaw, the Development Authority Bylaw, the Municipal Planning Commission Bylaw, the *MGA* or by resolution of Council.

#### **15. MUNICIPAL PLANNING COMMISSION – POWERS AND DUTIES**

- (1) The Municipal Planning Commission may exercise only such powers and duties as are specified in the *MGA*, the Development Authority and Municipal Planning Commission Bylaws, this Bylaw, or by resolution of Council.
- (2) For the purpose of section 624 of the *MGA*, the Municipal Planning Commission shall be the Subdivision and Development Authority.
- (3) The Municipal Planning Commission may perform only such powers and duties as are specified:
  - (a) the *MGA*,
  - (b) in the Town of Picture Butte Development Authority and Municipal Planning Commission Bylaws,
  - (c) in this Bylaw, or
  - (d) by resolution of Council.
- (4) The Municipal Planning Commission shall be responsible for:
  - (a) considering and deciding upon development permit applications referred to it by the Development Officer;
  - (b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;
  - (c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;
  - (d) considering and deciding upon applications for subdivision approval;
  - (e) any other powers and duties as are specified in this Bylaw, the Development Authority and Municipal Planning Commission Bylaws, the *MGA* or by resolution of Council.



- (5) The Municipal Planning Commission discretion to granting a variance or relaxation of a bylaw standard is limited to 25 percent of the requirement unless the Municipal Planning Commission determines a case of undue hardship is present and the authority and consideration for both the *MGA* and [Section 30\(4\)](#) of the bylaw has been applied.

## **16. SUBDIVISION AUTHORITY**

- (1) In accordance with this Bylaw and the Subdivision and Development Authority Bylaw, the Municipal Planning Commission shall be the Subdivision Authority for considering and deciding upon subdivision applications.
- (2) Council for the Town of Picture Butte may act as the Subdivision and Development Authority if the Municipal Planning Commission refers subdivision applications to it for a decision.
- (3) The Subdivision Authority may delegate, through the municipality's Subdivision Authority Bylaw, this Bylaw, or by resolution of Council, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:
  - (a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application;
  - (b) the Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated and conducting site inspections.

## **17. SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)**

The Subdivision and Development Appeal Board (SDAB) is established by separate bylaw pursuant section 627 of the *MGA*, and may exercise such powers and duties as are specified in this Bylaw, the *MGA* and the Subdivision and Development Appeal Board.

# **LAND USE DISTRICTS AND DEVELOPMENT IN GENERAL**

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## **18. LAND USE DISTRICTS**

- (1) The municipality is divided into those districts specified in [Part 2](#) and shown on the Land Use Districts Map.
- (2) The one or more uses of land or buildings that are:
  - (a) permitted uses in each district, with or without conditions; or
  - (b) discretionary uses in each district, with or without conditions, or both;are described in [Part 2](#).
- (3) A land use not listed as a permitted or discretionary use is prohibited.

- (4) A land use not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority.

## **19. DEVELOPMENT IN MUNICIPALITY GENERALLY**

- (1) A person who develops land or a building in the municipality shall comply with the standards of development specified in **Part 4** in addition to complying with the use or uses prescribed in **Part 2** and any conditions attached to a development permit if one is required.
- (2) A person who develops land or a building in the municipality is also responsible for ascertaining, obtaining, and complying with the requirements of any federal, provincial or other municipal legislation.

## **20. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

Development that does not require a development permit is specified in **Part 3**.

## **21. NON-CONFORMING USES AND BUILDINGS**

- (1) If a development permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
- (2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- (3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used, but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming building; or
  - (b) as the Development Officer considers necessary for the routine maintenance of the building, in accordance with the variance powers provided for in section 643(5)(c) of the *MGA*. Routine maintenance of the building may include the replacement of windows and doors, and adding attached uncovered steps or decks less than 9.3 m<sup>2</sup> (100. sq. ft.) in area.
- (6) If a non-conforming building is damaged or destroyed by more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

- (7) Questions regarding the interpretation and application of **Sections 3-6** of this Part shall, if necessary, be referred to the MPC for interpretation and a decision.
- (8) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.
- (9) Where a proposed lot contains different dimensions than those prescribed within the land use district in effect, or will result in an existing or future building not conforming with the height or setback requirements prescribed within the district in effect, it may be approved where, in the opinion of the Development Officer or Municipal Planning Commission, the noncompliance with the district regulations is:
  - (a) minor in nature;
  - (b) consistent with the general character of the area;
  - (c) does not interfere with the use, enjoyment or value of the neighbouring properties; and
  - (d) the permit issued indicates a waiver has been granted.

## **22. NUMBER OF DWELLINGS ON A LOT**

- (1) Subject to **Sections 22(2) and 22(3)**, no person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel.
- (2) The Municipal Planning Commission may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
  - (a) if a use allowing more than one dwelling unit is listed in the applicable district, such as secondary suite;
  - (b) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;
  - (c) is a manufacture home forming part of a park for manufactured home units; or
  - (d) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a land titles office under that *Act*.
- (3) The Municipal Planning Commission may, in a development permit, exempt any person or land from the operation of **Section 22(1)** if:
  - (a) the dwelling is temporary in nature,
  - (b) the permit has an expiry time,
  - (c) the dwelling will be removed at the expiry of the permit.

## **23. SUITABILITY OF SITES**

- (1) Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Officer, Subdivision Authority, or Municipal Planning Commission, as applicable, may refuse to approve a subdivision or issue a development permit if, in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

- (a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 300 metres of a provincial highway;
  - (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;
  - (c) is situated on an unstable slope;
  - (d) consists of unconsolidated material unsuitable for building;
  - (e) does not comply with the requirements of the Provincial Land Use Policies, *Alberta Land Stewardship Act*, Regional Plan, Subdivision and Development Regulation or any applicable Statutory Plans;
  - (f) is situated over an active or abandoned coal mine or oil and gas well or pipeline;
  - (g) is located within a floodplain;
  - (h) is unsafe due to contamination by previous land uses;
  - (i) does not have adequate water and sewer provisions;
  - (j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of this Land Use Bylaw;
  - (k) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.
- (2) Nothing in this section shall prevent the Development Officer, Subdivision Authority, or Municipal Planning Commission, as applicable, from approving a lot for subdivision or issuing a development permit if the relevant authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures or other mitigating measures.

## **24. DEVELOPMENT AGREEMENTS**

- (1) The Development Authority or Subdivision Authority may require as a condition of approving a subdivision or issuing a development permit that the applicant enter into a development agreement with the municipality in accordance with the *MGA*.
- (2) Where a development is proposed in any land use district which would require servicing beyond that which the municipality would normally supply, the Development Officer or Municipal Planning Commission shall recommend to Council that a development agreement, establishing the responsibilities of each of the involved parties, be entered into by the developer(s) and the municipality as a condition of approval.
- (3) The Development Authority may require the applicant to submit a type of legal financial security (e.g. money, security bond, an irrevocable letter of credit, etc.) in a form and amount acceptable to the municipality guaranteeing the terms of the development agreement will be carried out by the developer.

## DEVELOPMENT PERMIT RULES AND PROCEDURES

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### 25. DEVELOPMENT PERMIT APPLICATIONS

- (1) Except as provided in [Part 3](#), no person shall commence a development unless he has been issued a development permit in respect of the proposed development.
- (2) An application for a development permit must be made to the Development Officer by submitting:
  - (a) a completed application in [Appendix B](#);
  - (b) the fee prescribed in [Appendix A](#); and
  - (c) such other information as may be required by the Development Officer or Municipal Planning Commission including:
    - (i) a site plan indicating:
      - legal description and the location of existing and proposed development, including location and dimension of eaves, in relation to the lot boundaries;
      - dimensions clearly illustrated;
      - all property lines and easements;
    - (ii) floor plans, elevations and sections at a minimum scale of 1:200 or such other scale as required by the Development Officer or Municipal Planning Commission; and
    - (iii) studies of projected traffic volumes, utilities, landscaping, urban design, parking, environmental impact assessment, slope, soil or any other information as required by the Development Officer or Municipal Planning Commission.
- (3) An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.
- (4) The Development Officer may request a current title documenting ownership.
- (5) The Designated Officer may request a Surveyor's Sketch to verify locations of buildings or improvements.

### 26. 40-DAY TIME EXTENSIONS

For an application involving a waiver to exceed 10 percent, a discretionary use, or where an application is to be referred to the Municipal Planning Commission for a decision, the municipality may ask that the applicant, if they are in agreement, to enter into a 40-day decision Time Extension agreement as part of the application, where it is apparent that the Municipal Planning Commission may not be able to meet within the *MGA* prescribed 40-day period for a decision.

### 27. INCOMPLETE APPLICATIONS

- (1) The Development Officer or the Municipal Planning Commission may refuse to accept a development permit application where the information required by [Part 1, Section 25](#) (Development Permit Application) is incomplete or where, in its opinion, the quality of the material supplied is inadequate to properly evaluate the application.

- (2) A Development Officer shall, within 20 days after the receipt of an application in accordance with [Section 25](#) for a development permit, determine whether the application is complete.
- (3) An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
- (4) The time period referred to in [Section 27\(2\)](#) may be extended by an agreement in writing between the applicant and the Development Officer.
- (5) If the Development Officer does not make a determination referred to in [Section 27\(2\)](#) above within the time required under [Section 27\(2\) or 27\(4\)](#), the application is deemed to be complete.
- (6) If a Development Officer determines that the application is complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (7) If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by [Section 25](#). A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete.
- (8) If the Development Officer determines that the information and documents submitted under [Section 27\(7\)](#) above are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (9) If the required documents and information under [Section 27\(7\)](#) have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under [Section 27\(7\)](#), the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- (10) Despite issuance of a Notice of Completeness under [Section 27\(6\) or 27\(8\)](#), the Development Authority or Municipal Planning Commission in the course of reviewing the application may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

## **28. PROCESSING PERMITTED USE APPLICATIONS**

- (1) Upon receipt of a completed application for a development permit for a permitted use, the Development Officer may, if the application conforms with this Bylaw:
  - (a) issue a development permit with or without conditions, including the provision of a development agreement pursuant to the *MGA*; or
  - (b) refer an application to the Municipal Planning Commission for a decision.
- (2) Upon the receipt of a completed application for a development permit for a permitted use which would require a waiver, the Development Officer shall evaluate the application, and:

- (a) if a minor waiver is required, may waive the applicable standard and issue a development permit with or without conditions, provided the waiver does not exceed 10 percent of any measurable standard specified in the bylaw; or
  - (b) if the waiver required exceeds the 10 percent of any measurable standard in the bylaw, the designated officer shall refer the application to the Municipal Planning Commission for a decision.
- (3) The Development Officer or Municipal Planning Commission may place any of the following conditions on a development permit for a permitted use:
  - (a) requirement to enter into a development agreement, including requirements for oversize improvements;
  - (b) pay any applicable off-site levy or redevelopment levy;
  - (c) provide a geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, slope stability, soil analysis, flooding subsistence, erosion and sanitary sewage servicing;
  - (d) require the alteration of a structure or building size or location to ensure any setback requirements of this Land Use Bylaw or the Subdivision and Development Regulation can be met;
  - (e) any measures to ensure compliance with the requirements of this Land Use Bylaw, its standards of development, or any other statutory plan adopted by the Town of Picture Butte;
  - (f) provide easements and encroachment agreements;
  - (g) provide public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
  - (h) require repairs or reinstatement of the original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise altered by development or building operations upon the site, to the satisfaction of the Development Officer;
  - (i) to provide security to ensure the terms of the permit approval under this section are carried out (e.g. bond, letter of credit) which will be returned upon completion of the work to the satisfaction of the Town;
  - (j) stipulate time periods specifying completion of development;
  - (k) any measures to ensure compliance with applicable provincial legislation.

## **29. PROCESSING DISCRETIONARY USE APPLICATIONS**

- (1) Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer shall:
  - (a) for a Type A use – send the application to the Municipal Planning Commission for a decision;
  - (b) for a Type B use – either make a decision on the application, or refer the application to the Municipal Planning Commission for a decision.



- (2) Upon receipt of an application under [Section 29\(1\)](#), the Development Officer acting on behalf of the Municipal Planning Commission shall notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with [Section 33](#), a minimum of five days before the meeting to consider the application is held.
- (3) After consideration of any response to the notifications of persons likely to be affected, including Lethbridge County, government departments and referral agencies as applicable, and determining compatibility and suitability of the proposed use, and any other relevant matters, the Development Authority may:
  - (a) issue a development permit with or without conditions; or
  - (b) refuse to issue a development permit application, stating the reasons.
- (4) The Municipal Planning Commission, or Development Officer for Type B uses, may place any of the conditions stipulated in [Section 28\(3\)](#) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

### **30. PROCESSING APPLICATIONS REQUIRING WAIVERS**

- (1) Upon receipt of a completed application for a development permit for a development that does not comply with this Bylaw, but in respect of which the Development Officer is requested by the applicant to exercise discretion under [Section 29\(1\)\(a\)](#), the Development Officer shall send the application to the Municipal Planning Commission.
- (2) Upon receipt of an application under [Section 29\(1\)](#), and if the Municipal Planning Commission is prepared to exercise its discretion under [Section 30\(4\)](#), the Development Officer acting on behalf of the Municipal Planning Commission shall notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with [Section 33](#).
- (3) Where the Municipal Planning Commission is requested to exercise its discretion under [Section 30\(4\)](#), its discretion to granting a variance or relaxation of a bylaw standard is limited to 25 percent of the requirement unless the Municipal Planning Commission determines a case of undue hardship is present and the authority and consideration for both the *MGA* and [Section 30\(4\)](#) of the bylaw has been applied.
- (4) The Municipal Planning Commission is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Municipal Planning Commission:
  - (a) the proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use or enjoyment or value of neighbouring properties;
 and
  - (b) the proposed development conforms with the use prescribed for that land or building in [Part 2](#).

### 31. SIMILAR USE APPLICATIONS

- (1) The Municipal Planning Commission may approve a proposed development not allowed in a land use district if, in the opinion of the Municipal Planning Commission, the proposed development is similar in character and purpose to a permitted or discretionary use that is allowed in that district.
- (2) Upon referral of the application by the Development Officer, the Municipal Planning Commission shall rule whether or not the proposed use is either similar to a permitted or discretionary use in the land use district in which it is proposed, and:
  - (a) if the use is deemed similar to a permitted or discretionary use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use and a development permit may be issued with or without conditions after consideration of any responses to the notifications of persons likely to be affected by the development;
  - (b) if the use is not deemed similar to a permitted or discretionary use in the land use district in which it is proposed, the development permit shall be refused.

### 32. TEMPORARY USE APPLICATIONS

- (1) The Development Officer or Municipal Planning Commission for a permitted, discretionary, or similar use, may issue a temporary development permit for a period not to exceed one year for uses that are:
  - (a) determined to be temporary in nature; or
  - (b) for uses that may have impacts to adjacent land uses whereby a permit for a temporary period of time may have merit to ensure the development does not negatively impact the surrounding land uses.
  - (c) If another part or section of the bylaw stipulates a specific maximum time period for a use different than the one year, then that period shall apply.
- (2) Temporary use applications shall be subject to the following conditions:
  - (a) it shall be a condition of every temporary development permit that the Town of Picture Butte shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period and the applicant or developer is responsible for any costs involved in the removal of any development at the expiration of the permitted period;
  - (b) the Development Authority may require the applicant to submit a security bond or irrevocable letter of credit guaranteeing the cessation or removal of the temporary use; and
  - (c) any other conditions as deemed necessary.
- (3) Permits issued under [Section 32\(1\)\(b\)](#) above may apply for a non-temporary (permanent) development permit at the expiration of the temporary permit.
- (4) Notification of persons likely to be affected, including Lethbridge County, government departments and referral agencies shall be in accordance with [Section 33](#).

### 33. NOTIFICATION FOR DEVELOPMENT APPLICATIONS

- (1) Upon receipt of an application under [Sections 28](#) (if a waiver is required), [29](#) and [30](#), the Development Officer shall notify the persons likely to be affected by the issuing of a development permit by:
  - (a) sending notice of the application to adjacent land owners; or
  - (b) placing an advertisement in the local newspaper circulating within the municipality, or and at their discretion;
  - (c) placing a notice on the property in a prominent place; orany combination of the above, at least five days prior to the meeting date of the Municipal Planning Commission.
- (2) In all cases, notification shall:
  - (a) describe the nature and location of the use;
  - (b) state the place and time where the Municipal Planning Commission will meet to consider the application, and state that written or oral submissions on the application will be received at this time.
- (3) After considering any response to the notifications to persons likely to be affected by the development, the Municipal Planning Commission may issue a development permit with or without conditions, or may refuse to issue a permit.

### 34. CONDITIONS

In addition to the conditions that the Development Officer or Municipal Planning Commission may impose on a development permit under [Part 4](#), the Development Officer and the Municipal Planning Commission may impose such conditions for permitted or discretionary uses, respectively, as is considered necessary to ensure that this Bylaw and the municipal development plan are complied with.

### 35. DEVELOPMENT PERMIT NOTIFICATION

- (1) A decision of the Development Authority on an application for a development permit must be issued in writing in accordance with [Section 35\(3\)](#) below.
- (2) Upon the approval of the application and the issue of a development permit, the Development Authority shall immediately notify or cause to be notified, any persons likely to be affected or who have the right to appeal the decision of the Development Authority in accordance with the procedure in [Section 46](#). The following notification processes shall be used:

#### **Permitted Use Permits**

- (3) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Development Authority shall:
  - (a) send to the applicant a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision; and

- (b) notify the public by either:
  - (i) posting a copy of the decision in a prominent place in the Town Office for at least 14 days, or
  - (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
  - (iii) any combination of the above.

#### **All Other Permits**

- (4) Upon the issue or refusal of a development permit for a use under [Section 28, 29](#) (discretionary use), [30](#) (if a waiver is required), [31](#) (similar use) and [32](#) (temporary uses), the Development Officer shall immediately:
  - (a) send a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision to the applicant; and
  - (b) notify all persons likely to be affected by the development by either:
    - (i) mailing a copy of the decision to those persons, departments and agencies, or
    - (ii) place an advertisement in the local newspaper circulating within the municipality, and/or at his discretion,
    - (iii) place a notice on the property in a prominent place; or
    - (iv) any combination of the above.

#### **Issuance of Decision and Timeframes**

- (5) Upon issuance of a decision, the Development Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the decision is made.

For the purposes of [Section 35\(5\)](#), the “date on which the decision was made” means:

- (a) the date the Development Authority signs the notice of decision or development permit; or
  - (b) the date the decision is posted in the newspaper;
- whichever occurs later.

### **36. COMMENCEMENT OF DEVELOPMENT**

- (1) Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 21 days after the date on which the decision was made to issue the permit;
  - (b) if an appeal is made, until the appeal is decided upon.

This does not apply to a development permit for a permitted use issued without conditions.

- (2) Unless a development is suspended or cancelled, a development permit remains in effect for 12 months from the date of its issue.

- (3) The validity of a development permit may be extended for up to 18 months from the date of its issue:
  - (a) by the Municipal Planning Commission for discretionary uses, or
  - (b) by the Development Officer for permitted uses.

### **37. PERMIT COMMENCEMENT**

- (1) Unless a development permit is suspended or cancelled, the application must be commenced or carried out with reasonable diligence in the opinion of the Development Officer or the Municipal Planning Commission within 12 months from the date of issuance of the permit, otherwise the permit is no longer valid.
- (2) If a development has not commenced within the time period specified in [Section 37\(1\)](#), the validity of a development permit may be extended for up to six additional months by the Development Authority.
- (3) A valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy or occupancy.
- (4) When any use has been discontinued for a period of 18 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This section does not apply to non-conforming uses which are regulated under section 643 of the *MGA*. See also [Section 21](#) - Non-conforming Buildings and Uses of this Bylaw.
- (5) The Development Officer or the Municipal Planning Commission may place conditions on a development permit approval that stipulate a timeframe for the completion of a development.

### **38. DEEMED REFUSAL**

In accordance with section 684 of the *MGA*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the Development Officer and a Time Extension Agreement has not been entered into.

### **39. PERMIT TRANSFERABILITY**

- (1) A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
- (2) When any use has been discontinued for a period of 18 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

#### 40. REAPPLICATION

- (1) If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for a development:
  - (a) on the same lot, and
  - (b) for the same or similar use,may not be accepted for at least six months after the date of refusal.
- (2) If an application was refused solely because it did not comply with this Bylaw, or was refused as an incomplete application under [Section 27](#), another application on the same lot for the same or similar use may be accepted before the time period referred to in [Section 40\(1\)](#) provided the application has been modified to comply with this Bylaw. All applicable fees shall apply.

#### 41. SUSPENSION OF A DEVELOPMENT PERMIT

- (1) If, after a development permit has been issued, the Development Officer or Municipal Planning Commission becomes aware that:
  - (a) the application for the development permit contained a serious misrepresentation; or
  - (b) facts concerning the application on the development, that were not disclosed and which should have been disclosed at the time the application was considered, have subsequently become known; or
  - (c) a development permit was issued in error;the Development Officer or Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it.
- (2) If a development permit is suspended, the applicant may appeal to the Subdivision and Development Appeal Board which may:
  - (a) reinstate the development permit; or
  - (b) cancel the development permit, if the Development Officer or Municipal Planning Commission, as the case may be, would not have issued the development permit if the facts subsequently disclosed had been known during consideration of the application.

### ENFORCEMENT PROCESS

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#### 42. NOTICE OF VIOLATION

Where the Development Officer or Municipal Planning Commission finds that a development or use of land or buildings is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or this Bylaw, the Development Officer may issue a notice of violation to the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention. Such notice shall state the following:

- (a) nature of the violation,

- (b) corrective measures required to comply, and
- (c) time period within which such corrective measures must be performed.

#### **43. STOP ORDERS**

- (1) The Development Officer or Municipal Planning Commission is authorized to issue an Order under section 645 of the *MGA* if a development, land use of a building is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or in this Bylaw.
- (2) A person who receives notice pursuant to [Section 43\(1\)](#) may appeal the order to the Subdivision and Development Appeal Board in accordance with the *MGA*.

#### **44. ENFORCEMENT OF STOP ORDERS**

- (1) Pursuant to section 646 of the *MGA*, if a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the Development Officer may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.
- (2) The Town may register a caveat under the *Land Titles Act* in respect of an order referred to in [Section 44\(1\)](#) against the certificate of title for the land that is subject of an order.
- (3) If a caveat is registered under [Section 44\(2\)](#) the Town may discharge the caveat when the order has been complied with.
- (4) If compliance with a stop order is not voluntarily effected, the Town may undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of Queen's Bench pursuant to section 554 of the *MGA*. In accordance with section 553 of the *MGA*, the expenses and costs of carrying out an order under section 646 of the *MGA* may be added to the tax roll of the parcel of land.

#### **45. PENALTIES AND RIGHT OF ENTRY**

- (1) Any person who contravenes any provision of this Bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the *Municipal Government Act* and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year or to both fine and imprisonment.
- (2) In accordance with section 542 of the *MGA*, a designated officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this Bylaw or *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:
  - (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;
  - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and
  - (c) make copies of anything related to the inspection, remedy, enforcement or action.



- (3) If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the *MGA*, the municipality under the authority of section of the *MGA* may obtain a court order.

#### **46. DEVELOPMENT APPEALS**

Any person applying for a development permit or any other person affected by any order, decision or development permit made or issued by the Development Officer or Municipal Planning Commission or any development application deemed refused in accordance with [Section 27\(9\)](#), may appeal such an order or decision or deemed refusal to the Subdivision and Development Appeal Board in accordance with the procedures described in the *MGA*.

#### **47. REFERRALS TO LETHBRIDGE COUNTY**

If a proposed development application or amendment to this Bylaw could have an effect on Lethbridge County, the Development Officer shall refer it to Lethbridge County for comment.

#### **48. DEVELOPMENT COMMENCEMENT AND COMPLETION NOTIFICATION**

The person to whom a development permit has been issued shall notify the Development Officer:

- (a) following the preliminary layout of the site, but prior to the commencement of actual development thereon; and
- (b) upon completion of the development.

#### **49. CONTRAVENTION OF BYLAW**

Every person who contravenes any provision of this Bylaw is guilty of an offense in accordance with Division 5, Offences and Penalties, of the *MGA*.

### **LAND USE BYLAW AMENDMENTS**

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#### **50. AMENDMENTS TO THE LAND USE BYLAW**

- (1) Any person may initiate amendments to this Bylaw regarding textual amendments or land use redesignations by making an application to the Development Officer.
- (2) All applications for amendment shall be submitted using the applicable form and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application, and any applicable fee paid to the municipality as required.
- (3) The Development Officer may refuse to accept an application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- (4) The Development Officer shall forward the application to Council for a decision if he/she is satisfied sufficient information has been provided with the application.
- (5) Council or the Development Officer may refer the application to the Municipal Planning Commission for their recommendation prior to the application being considered by Council.

- (6) The application shall be processed in compliance with the requirements of the *MGA*, including the processes for notice of public hearings and the conduct of meetings.
- (7) Where an application for an amendment to this Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least six months after the date of refusal.
- (8) Council, at its discretion, may accept another application in respect of **Section 50(7)** above within six months, if the resubmitted application is to address revisions, requirements or instructions of Council regarding the proposal, and Council is satisfied its instructions have been adhered to.

## **51. LAND USE REDESIGNATION APPLICATION REQUIREMENTS**

- (1) A request for redesignation from one land use district to another shall be accompanied by:
  - (a) a completed application form and fee;
  - (b) a narrative describing the:
    - (i) proposed designation and future use(s);
    - (ii) consistency with applicable statutory plans;
    - (iii) compatibility of the proposal with surrounding uses and zoning;
    - (iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
    - (v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
    - (vi) any potential impacts on public roads.

The applicant may also be requested to provide the following in support of a redesignation application:

- (c) conceptual subdivision design, if applicable;
  - (d) a geotechnical report prepared by an engineer demonstrating soil stability/suitability if deemed necessary;
  - (e) an evaluation of surface drainage which may include adjacent properties if deemed necessary; and
  - (f) any other information deemed necessary by the Designated Officer or Council to properly evaluate the application.
- (2) An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application when:
  - (a) redesignating land to another district,
  - (b) multiple parcels of land are involved,
  - (c) more than four lots could be created,

- (d) several pieces of fragmented land are adjacent to the proposal,
- (e) internal public roads would be required,
- (f) municipal services would need to be extended, or
- (g) required by Council or the Development Authority.

## **52. REDESIGNATION CRITERIA**

When redesignating land from one land use district to another, Council should consider the following when making a decision:

- (a) compliance with applicable standards and provisions of the Land Use Bylaw;
- (b) consistency with any adopted statutory plans;
- (c) compatibility with adjacent uses;
- (d) development potential/suitability of the site;
- (e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.), to serve the subject property and any potential impacts to levels of service to existing development;
- (f) potential impacts on public roads;
- (g) setback distances contained in the Subdivision and Development Regulation;
- (h) supply of suitably designated land;
- (i) public comment and any applicable review agency comments; and
- (j) any other matters deemed pertinent.

# **SUBDIVISION APPLICATION RULES AND PROCEDURES**

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## **53. SUBDIVISION APPLICATIONS**

- (1) An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:
  - (a) an official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;
  - (b) the applicable fees paid;
  - (c) an up-to-date and current copy of the Certificate of Title to the subject land;
  - (d) a (clear and legible) diagram, surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;
  - (e) provincial abandoned gas well information;

- (f) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use;
  - (g) the consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the *MGA* must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.
- (2) In accordance with the *MGA*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:
- (a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter;
  - (b) for an application determined to be incomplete, written notification shall be given to the applicant (Notice of Incompleteness) which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority;
  - (c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.
- (3) Notwithstanding [Section 53\(2\)](#), the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.
- (4) A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

#### **54. INCOMPLETE SUBDIVISION APPLICATIONS**

- (1) The Subdivision Authority may refuse to accept and process a subdivision application where the information required under [Section 53\(1\)](#) and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

- (2) If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in [Section 53\(2\)\(b\)](#).
- (3) The notification provided for in [Section 54\(2\)](#) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

## PART 2

### LAND USE DISTRICTS, MAP AND REGULATIONS





## PART 2

### LAND USE DISTRICTS, MAP AND REGULATIONS

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1. The municipality is divided into those districts shown on the Land Use District Map of this Part.
2. Each district shown on the map referred to in [Section 1](#) above shall be known by the following identifying names and symbols:

RESIDENTIAL	– R1
MANUFACTURED HOME	– R2
LARGE LOT RESIDENTIAL	– R3
RESIDENTIAL SMALL LOT	– R4
RESIDENTIAL MULTI-UNIT	– R5
RETAIL COMMERCIAL	– C1
HIGHWAY COMMERCIAL	– C2
INDUSTRIAL	– I
PUBLIC	– P
URBAN RESERVE	– UR
DIRECT CONTROL	– DC

3. Land Use District Map and Regulations (following this page)



## RESIDENTIAL – R1

**INTENT:** To accommodate a variety of types of residential development on serviced lots in an orderly, economical and attractive manner, while excluding potentially incompatible land use.

### 1. PERMITTED USES

Accessory buildings and structures, 40.87 m<sup>2</sup> (440 sq. ft.) or less  
 Day homes (see [Part 4](#))  
 Home occupations A (see [Part 4](#))  
 Signs Type 1 (in accordance with [Part 5](#))  
 Single-detached dwellings:  
     – Site built  
     – Manufactured home 1  
     – Ready-to-move dwellings (new)  
 Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

Shipping containers  
 ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures, greater than 51.1 m<sup>2</sup> (550 sq. ft.)  
 Accessory uses  
 Bed and breakfast (see [Part 4](#))  
 Day care facilities (see [Part 4](#))  
 Home occupations B (see [Part 4](#))  
 Lodging or boarding houses  
 Moved-in dwellings and buildings  
 Parks, playgrounds and open spaces  
 Portable garages (fabric buildings) and storage structures (see [Part 4](#))  
 Public and private utilities  
 Secondary suites (contained within single-detached dwelling)  
 Secondary suites (detached garage)  
 Semi-detached dwellings – all types  
 Signs Type 2 fascia (in accordance with [Part 5](#))  
 Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, greater than 40.87 m<sup>2</sup> (440 sq. ft.) but no more than 51.1 m<sup>2</sup> (550 sq. ft.)  
 Accessory buildings and structures, portable garages (see [Part 4](#))  
 Temporary shipping containers  
 Temporary uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single-detached dwelling	15.2	50	30.5	100	464.5	5,000
Semi-detached dwelling	15.2	50	30.5	100	464.5	5,000
Multi-unit dwelling	22.9	75	30.5	100	603.9	6,500
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-detached or semi-detached dwelling	6.1	20	1.5	5	7.6	25
Multi-unit dwelling	7.6	25	1.5	5	7.6	25
Row dwelling	6.1	20	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

### 4. SIDE AND REAR YARD STANDARDS

#### (1) Accessory Buildings

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
  - (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side lot line, to no less than 1.2 metres (4 ft.), and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
  - (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
  - (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
  - (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
  - (7) Temporary shipping containers must be sited on the lot to meet the required accessory structure setbacks.

**(8) Projections Over Yards**

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) wheel chair ramps;
- (e) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (f) unenclosed decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

**5. MAXIMUM SITE COVERAGE**

Principal and accessory buildings – 35%  
Accessory buildings – 10%

**6. MINIMUM FLOOR AREA**

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)  
Semi-detached dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per unit  
Multi-unit dwellings – 55.7 m<sup>2</sup> (600 sq. ft.) per unit  
All other uses – As required by the Municipal Planning Commission

**7. MAXIMUM BUILDING HEIGHT**

Principal buildings – 10.1 m (33 ft.)  
Accessory buildings – 4.6 m (15 ft.)

**8. ACCESSORY BUILDINGS AND STRUCTURES**

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.
- (3) The Development Authority may limit the number of accessory buildings on a lot.



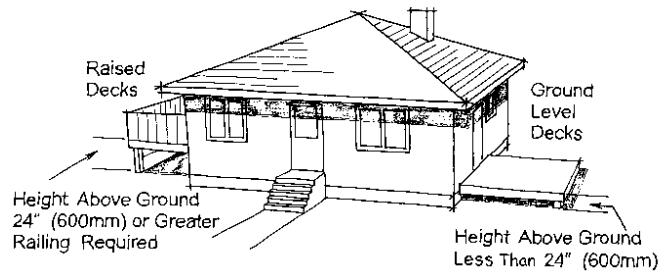
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements** – see [Section 4](#) above.
- (7) A detached garage with an approved secondary suite is allowed to a maximum height of 7.5 m (24.6 ft.).

## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, may be required and used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.

(c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.

(d) A **ground level patio** means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.



(e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.

(h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## 10. HIGHER DENSITY RESIDENTIAL

When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:

- (a) compatibility with the general height, building design and nature of existing houses;
- (b) adequate off-street parking;
- (c) suitable landscaping and on-site amenities such as playground equipment, etc.;
- (d) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
- (e) ability of the site to provide for some outdoor amenity space for residents;
- (f) the ability of municipal utilities to accommodate the proposed density of development; and
- (g) possible impact on future land uses and the street system.

## 11. GENERAL SECONDARY SUITE STANDARDS

These standards shall apply to all secondary suites (detached garage, contained within single-detached dwelling) unless otherwise noted. The general land use provisions for the district shall also apply unless otherwise noted.



- (1) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being constructed within or in conjunction with a duplex, semi-detached dwelling, multi-attached dwelling or apartment housing.
- (2) A maximum of one secondary suite is permitted on any single-detached dwelling lot in the R-1 district.
- (3) A secondary suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (4) The Development Authority may limit the number of bedrooms in a secondary suite but in no case shall the number of bedrooms exceed three.
- (5) One on-site parking space shall be provided for each secondary suite with less than three bedrooms. Secondary suites with three bedrooms shall provide two on-site parking spaces. These requirements are in addition to the parking requirements for the principal dwelling.
- (6) All secondary suites developed after December 31, 2006, shall comply with all Alberta Building Code requirements, including separate heating/ventilation systems for each dwelling unit. Pre-existing suites developed prior to December 31, 2006, must meet the requirements of the Alberta Fire Code.
- (7) Accessory structures shall not be used as a dwelling unless it is an approved additional secondary suite unit.
- (8) An outdoor private amenity space not less than 7.5 m<sup>2</sup> (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), must be provided in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the principal dwelling, the secondary suite and adjacent dwellings is preserved.
- (9) The Development Authority may require that landscaping be required as a condition of development permit if it shall serve to provide privacy between the principal dwelling, the secondary suite and adjacent dwellings, or to enhance the quality of the proposed development.
- (10) A secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (11) A secondary suite shall have utility connections through the principal single-detached dwelling. The Development Authority may refuse an application for a secondary suite if it is evident that there is not capacity for the utility demands resulting from a secondary suite.

## **12. SECONDARY SUITES (DETACHED GARAGE) STANDARDS**

- (1) For a suite above a detached garage, the maximum height to roof peak of the garage shall be 7.5 metres (24.6 ft.).
- (2) A secondary suite (detached garage) shall have an entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure.

- (3) In no instance shall two separate accessory buildings be developed on a single site where one is a detached garage and the other contains a secondary suite above another detached garage.
- (4) A secondary suite (detached garage) shall only be permitted on lots with lanes.
- (5) A secondary suite shall not be located within a garage unless a single-detached dwelling is already erected on the site.
- (6) A secondary suite (detached garage) shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed 72.8 m<sup>2</sup> (784 sq. ft.), and have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.). Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (7) The maximum lot coverage of a secondary suite (detached garage) shall be limited to the area as stipulated for an accessory building for the applicable land use district.
- (8) A secondary suite in conjunction with a detached garage shall be located a minimum of 3.05 metres (10 ft.) from the principal dwelling unit and 1.5 metres (5 ft.) from a side or rear property line.
- (9) A secondary suite (detached garage) shall be located on the upper floor of the garage and the main (grade) floor shall be restricted for garage/accessory use. The building must be utilized as a functional garage/accessory building for purposes incidental to the single unit dwelling with a functional overhead garage door installed and cannot be used for additional living space.
- (10) A secondary suite (detached garage) may only be approved if it is verified that it can be constructed on a foundation of strip footings and concrete walls, concrete piers set below frost level, or other suitable foundation in accordance with the Alberta Building Code.

### **13. SECONDARY SUITES (CONTAINED WITH A SINGLE-DETACHED DWELLING) STANDARDS**

- (1) A secondary suite (contained within a single-detached dwelling) shall be developed in a manner that the exterior of the principal dwelling shall appear as a single-detached dwelling.
- (2) A secondary suite (contained with a single-detached dwelling) shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed the floor area of the principal dwelling and shall have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.).
- (3) A secondary suite (contained with a single-detached dwelling) shall have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or from the exterior of the structure.
- (4) A secondary suite (contained within a single-detached dwelling) shall not be developed within a principal dwelling containing a Home Occupation B unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited, adequate parking is provided, and amenities of the neighbourhood are not negatively affected.

### **14. STANDARDS OF DEVELOPMENT – See Part 4.**

### **15. LANDSCAPING AND SCREENING – See Part 4, Section 11.**

**16. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**17. HOME OCCUPATIONS** – See Part 4, Section 31.

**18. SIGNS** – See Part 5.

## MANUFACTURED HOME – R2

**INTENT:** To provide areas suitable for the location of comprehensively planned manufactured home communities (subdivided lots) or parks (leased plots) which provide for high quality developments that complement adjacent uses.

### 1. PERMITTED USES

Accessory buildings and structures, 40.87 m<sup>2</sup> (440 sq. ft.) or less  
Manufactured home 1  
Public utilities  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

Park model trailer  
Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures, greater than 51.1 m<sup>2</sup> (550 sq. ft.)  
Accessory uses  
Day homes  
Home occupations A and B  
Maintenance/utility uses  
Manufactured home additions  
Manufactured home parks (single title)  
Manufactured home 2  
– both double-wide and single-wide  
Park maintenance/storage uses  
Parks and playgrounds  
Portable garages (fabric buildings) and storage structures  
Private utilities  
Signs Type 2 fascia (in accordance with [Part 5](#))  
Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, greater than 40.87 m<sup>2</sup> (440 sq. ft.) but no more than 51.1 m<sup>2</sup> (550 sq. ft.)  
Accessory buildings and structures, portable garages (see [Part 4](#))  
Temporary shipping containers  
Temporary uses

### 2. ELIGIBLE HOMES

- (1) New factory-built manufactured homes.
- (2) Used factory-built manufactured homes, no older than 10 years, in a state of good condition or repair to the satisfaction of the Municipal Planning Commission.
- (3) Manufactured homes shall be CSA (Canadian Standards Association) certified.
- (4) Any application for a development permit to locate a used manufactured home on a manufactured home lot shall include a recent colour photographs of the manufactured home.

- (5) A Safety Codes inspection (at the expense of the applicant) of a used manufactured home proposed to be located on a manufactured home lot may be required by the Municipal Planning Commission in order to determine if such a home is suitable.
- (6) A development permit may be denied at the discretion of the Municipal Planning Commission if the Municipal Planning Commission is of the opinion that the manufactured home is in a state of poor disrepair, unsuitable, or older than 10 years of age.
- (7) If required by the Development authority, all manufactured dwellings may be required to be registered with the Provincial Personal Property Registration. The CSA model number, serial number, and Alberta Personal Property Registration number shall be provided at the time of submission of a development permit application and are required to be registered with the town.

### 3. MINIMUM LOT SIZE

#### (1) Subdivision – Freehold (Fee-simple) Title

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Manufactured homes (includes both single and double wide)	15.0	50	30.5	100	464.5	5,000
All other uses	As required by the Municipal Planning Commission					

#### (2) Leased (unsubdivided lot) Size – Leased Plots

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Manufactured homes (both)	11.0	36.1	28.0	91.9	300.0	3229.3
All other uses	As required by the Municipal Planning Commission					

### 4. MINIMUM SETBACK REQUIREMENTS

#### (1) Subdivision – Freehold/Fee-simple Lots

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1.5	5	3.0	10
All other uses	As required by the Municipal Planning Commission					

#### (2) Unsubdivided – Leased Plots

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Manufactured homes (both)	3.7	12.1	1@1.2 1@3.0	4 10	3.0	10
All other uses	As required by the Municipal Planning Commission					

## **5. SIDE AND REAR YARD STANDARDS**

### **(1) Accessory Buildings**

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than rear entry garages, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) Accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be at least 1.2 metres (4 ft.) from the principal building.
- (2) An attached carport may be permitted in a side yard but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building) or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
- (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side or rear lot line, provided that the overhanging eave shall not be less than 0.5 metre (1.6 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
- (4) Rear entry garages shall be a minimum of 1.5 metres (5 ft.) from a lane.

## **6. MAXIMUM SITE COVERAGE**

Principal building – 35%  
Accessory buildings – 10%

## **7. MINIMUM FLOOR AREA**

Single-wide manufactured homes – 65.0 m<sup>2</sup> (700 sq. ft.)  
Double-wide manufactured homes – 72.0 m<sup>2</sup> (775 sq. ft.)

## **8. MAXIMUM BUILDING HEIGHT**

Manufactured homes – 6.1 m (20 ft.)  
Accessory buildings – 4.6 m (15 ft.)

## **9. STANDARDS OF DEVELOPMENT – ALSO SEE PART 4.**

### **(1) Foundations and Basements**

- (a) All double-wide manufactured homes shall be placed on permanent concrete or concrete block foundations in conformance with the Alberta Building Code.

- (b) A basement for a manufactured home may be permitted, provided access to the basement is housed within an approved enclosure.
- (c) The maximum allowable height of the exposed portion of a concrete or block foundation shall not be more than 0.6 metre (2 ft.) above the average finished surface level of the surrounding ground.
- (d) All single-wide manufactured homes not placed on permanent foundations of concrete or concrete blocks shall be skirted to the satisfaction of the Municipal Planning Commission.

**(2) Anchoring a Manufactured Home Dwelling**

Every manufactured home dwelling shall be securely anchored in conformity with CSA standards and provincial Safety Codes.

**(3) Decks and Amenity Spaces**

- (a) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (b) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (c) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (d) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (e) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (f) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of adjacent dwellings is preserved.
- (g) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (h) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio, and to the width of the structure it is screening.



- (i) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

**(4) General Appearance**

In order to maintain the residential character of the development:

- (a) The wheels and hitches shall be removed from a mobile home within 90 days after placement of the home on its foundation.
- (b) The underside of mobile homes which are not provided with a basement, shall be within 0.6 metre (2 ft.) of the finished grade.
- (c) The front yard area of each lot shall be suitably developed and landscaped.
- (d) The foundation and skirting shall be in place within 90 days of placement.
- (e) Every entrance/exit into a manufactured home must be furnished with a landing and/or set of stairs.
- (f) Each manufactured home site shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the manufactured home and adjacent dwellings is preserved.
- (g) Any proposed addition to a manufactured home shall require a development permit. The colours and finish of any addition shall be of a quality, style and design which, in the opinion of the Development Authority, matches or complements the existing building.

**10. MANUFACTURED HOME PARK DESIGN CRITERIA AND DEVELOPMENT STANDARDS**

**(1) General and Overall Appearance**

The manufactured home park should incorporate detailed aesthetic consideration such as:

- (a) substantial landscaping design of the entire park in general and of individual sites in particular;
- (b) treatment of communal areas both indoor and outdoor;
- (c) imaginative design of lamp standards, litter bins, street signs and things of this nature.

**(2) Integration with Adjoining Residential Uses**

The park design and subsequent placement of manufactured homes on lots should integrate well with adjoining residential development so as not to be obtrusive.

**(3) Density**

The design of the park should be such that the net site density of the park does not exceed 20 units per ha (8 units per acre).

**(4) Open Space Requirements**

A minimum of 10 percent of the manufactured home park area should be developed for recreational and leisure use for the enjoyment of the inhabitants.

**(5) Street Layout and Streetscape**

- (a) Grouping or clustering of manufactured homes should provide a mixture of types and aesthetic variety along the streets and spatial relationships between the manufactured homes.
- (b) Street furniture such as light standards, signs, telephone booths, litter bins, etc., should, where possible, be of a high quality in design and harmoniously incorporated into the total streetscape.
- (c) Angled lots (60 percent) to the road are preferable to allow for easier transport and siting of homes on lots.
- (d) The required minimum road width for a manufactured home park, if the road is part of a private condominium plan, must be not less than 9 metres (30 ft.). If the road is part of a municipal public road within an approved manufactured home park, the required minimum road right-of-way width must be not less than 18 metres (59 ft.).

**(6) Plots**

All plots lines shall be permanently established by survey or other appropriate evidence provided by an Alberta Land Surveyor, Professional Engineer or agent thereof for the purpose of ensuring minimum setbacks are adhered to on an ongoing basis.

**(7) Open Space, Recreational Area and Buffer Strip Standards**

**(a) Landscaping Standards**

- (i) A substantial number of mature trees and a good variety of shrubbery should be utilized in the landscaping of the park to provide both a park-like atmosphere and proper screening.
- (ii) Where a public roadway runs adjacent to the boundary of a manufactured home community without intervening manufactured home sites, a minimum 3.0 metres landscaped strip, to the satisfaction of the Development Authority, shall be provided between the public roadway and the manufactured home community boundary.
- (iii) Where parks, playgrounds and other shared amenity facilities are provided in a manufactured home community they shall be substantially landscaped to the satisfaction of the Development Authority.

**(b) Recreation Area and Development**

The 10 percent of the manufactured home park which is dedicated to open space shall include playground equipment to accommodate children's play. This 10 percent area should also provide benches and a walkway for passive recreation.

**(8) Servicing Requirements**

- (a) A qualified engineer should be engaged at the expense of the developer to consult with the Town of Picture Butte, and utility companies to arrive at a design for all interior servicing,

including roads, drainage, sewer, water, natural gas, telephone, electrical and fire protection.

- (b) All on-site servicing should be built to the standards and requirements of the Town of Picture Butte, TransAlta, and private utility providers, which may include ATCO Gas, Shaw and Telus.
- (c) Utility easements as may be required shall be provided within the site and reasonable access to these easements shall be granted to the Town of Picture Butte, and utility companies for the installation and maintenance of services.

**(9) Garbage Enclosures**

Garbage enclosures shall be properly screened to the satisfaction of the MPC. Common garbage receptacle areas, if provided in the comprehensive plan, must be suitably and effectively screened to the satisfaction of the MPC.

**(10) Storage Compound**

- (a) The developer of the manufactured home community should provide and maintain in good repair within the park, an area to accommodate the storage of recreational vehicles such as motor boats, travel trailers, etc.
- (b) The size of this storage compound shall be a percentage of the total site area as determined by the MPC.
- (c) The storage compound shall be screened by fences, trees, landscape features, or a combination thereof, to the satisfaction of the MPC, and shall be maintained in good repair.

**(11) Park Maintenance/Storage Uses**

The design of the park shall include an area or accessory building for the use of park maintenance and storage uses to be constructed for the care and maintenance of the park.

**(12) Drawings to be submitted by Applicants**

**(a) Site Plan**

- (i) A scaled site plan shall be submitted showing the manufactured home park and its immediate surroundings.
- (ii) The site plan shall indicate, among other things, the mix of single-wide and double-wide manufactured dwelling lots, the lot size dimensions, street and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system.

**(b) Utility Plan**

- (i) The utility plan shall be based on the site plan.
- (ii) The utility plan shall indicate the location of all utilities necessary for the provision of the following services to the area to be developed:
  - water supply (including any proposed irrigation)
  - sanitary sewer
  - storm sewer
  - power

- natural gas
- telephone
- cablevision
- street lighting

(iii) The sizing and specifications of all utilities to be determined in consultation with the Town's Public Works Department and the respective utility companies or agencies.

(iv) In conjunction with the above [b(ii)], and in relation to the storm sewer, an engineered storm water management plan must be provided to the satisfaction of the Development Authority.

(c) **Layout Plan Showing Typical Single-detached Manufactured Home Lots**

(i) The layout plan shall indicate typical arrangement of single-detached manufactured dwellings.

(ii) The layout plan shall also indicate parking areas and landscaping of the lot.

(d) **Landscaping Plan**

A detailed landscaping plan shall illustrate the types of tree planting and ground occupy for internal buffer strips, open space and playground areas, walkways, irrigation layout, all single-detached manufactured dwelling lots, and entrances to the park.

**11. LANDSCAPING AND SCREENING** – See Part 4, Section 11.

**12. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**13. HOME OCCUPATIONS** – See Part 4, Section 31.

**14. MANUFACTURED HOME PARKS** – See Part 4.

**15. SIGNS** – See Part 5.

## LARGE LOT RESIDENTIAL – R3

**INTENT:** To ensure a high quality of development occurs on large residential lots by requiring high standards of development and restricting the types of uses that may occur.

### 1. PERMITTED USES

Accessory buildings and structures, 53.51 m<sup>2</sup> (576 sq. ft.) or less  
Signs Type 1 (in accordance with [Part 5](#))  
Single-detached dwellings:  
– Site built  
– Manufactured home 1  
– Ready-to-move dwellings (new)  
Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

Commercial uses  
Moved-in dwellings  
Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### 2. MINIMUM LOT SIZE

Minimum area – 0.4 hectares (1 acre)  
Minimum depth – 61.0 metres (200 ft.)

### 3. MINIMUM SETBACK REQUIREMENTS

As required by the Municipal Planning Commission or Development Officer but not less than 1.2 metres (4 ft.), or as outlined in [Section 7\(6\)](#) of this district for accessory buildings and structures.

### 4. MAXIMUM SITE COVERAGE

Principal building – As required by the Development Authority  
Accessory buildings – As required by the Development Authority

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures, greater than 66.89 m<sup>2</sup> (720 sq. ft.)  
Accessory uses  
Bed and breakfast  
Day homes  
Greenhouses (non-commercial)  
Home occupations A  
Portable garages (fabric buildings) and storage structures  
Public and private utilities  
Satellite dishes  
Similar uses  
Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, greater than 53.51 m<sup>2</sup> (576 sq. ft.) but no more than 66.89 m<sup>2</sup> (720 sq. ft.)  
Accessory buildings and structures, portable garages (see [Part 4](#))  
Temporary shipping containers  
Temporary uses

## 5. MAXIMUM BUILDING HEIGHT

Principal buildings – 10.1 m (33 ft.)

Accessory buildings – 4.6 m (15 ft.)

## 6. MINIMUM FLOOR AREA

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)

All other uses – As required by the Municipal Planning Commission

## 7. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

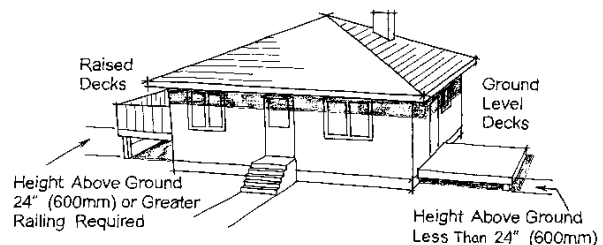
- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.
- (3) The Development Authority may limit the number of accessory buildings on a lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements**
  - (a) Accessory buildings and structures shall not be less than 1.5 metres (5 ft.) from a side lot line or rear lot line, except in circumstances as described in [Section \(6\)\(b\)](#).
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) A carport is permitted in a side yard but shall not be less than 1.5 metres (5 ft.) from a side lot line.
  - (d) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building.
  - (e) An accessory building or structure shall not be located in the required setback from a public road or on an easement.



- (f) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.

## 8. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) **Rear Yard Setbacks** – uncovered decks may encroach into the minimum required rear yard setback a maximum distance of 3 metres (9.8 ft.).
- (8) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.





- (c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.
- (e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.
- (g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.
- (h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## **9. DESIGN STANDARDS**

All proposed developments must, in the opinion of the Municipal Planning Commission, be compatible with existing houses in terms of:

- (a) design,
- (b) materials,
- (c) colours,
- (d) fence designs and construction.

## **10. REFUSE COLLECTION AND STORAGE – See Part 4, Section 7.**

## **11. OFF-STREET PARKING REQUIREMENTS – See Part 4, Section 20.**

## **12. HOME OCCUPATIONS – See Part 4, Section 31.**

## **13. SATELLITE DISHES – See Part 4, Section 37.**

## **14. SIGNS – See Part 5.**

## RESIDENTIAL SMALL LOT – R4

**INTENT:** The purpose of this district is to provide smaller residential lots to accommodate a variety of residential housing options, but primarily for smaller starter homes.

### 1. PERMITTED USES

Accessory buildings and structures, 33.44 m<sup>2</sup> (360 sq. ft.) or less  
 Accessory buildings and uses  
 Day homes  
 Home occupations A  
 Signs Type 1 (in accordance with [Part 5](#))  
 Single-detached dwellings:  
     – Site built  
     – Manufactured home 1  
     – Ready-to-move dwellings (new)  
 Solar collectors, individual

### PROHIBITED USES

Shipping containers  
 ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single-detached dwelling	11.0	36	30.5	100	334.4	3,600
Semi-detached dwelling	15.2	50	30.5	100	463.6	5,000
– (each side)	7.6	25	30.5	100	231.8	2,500
Multi-unit dwelling (interior)	18.3	60	30.5	100	557.4	6,000
– corner lot	22.9	75	30.5	100	696.8	7,500
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures greater than 36.79 m<sup>2</sup> (396 sq. ft.)  
 Accessory uses  
 Day care facilities  
 Home occupations B  
 Lodging or boarding houses  
 Parks, playgrounds and open spaces  
 Portable garages (fabric buildings) and storage structures  
 Public and private utilities  
 Secondary suites (detached garage)  
 Semi-detached dwellings  
 Small wind energy system – Type A (see [Part 4, Section 42](#))  
 Similar uses

#### TYPE B – Development Officer

Accessory buildings and structures, greater than 33.44 m<sup>2</sup> (360 sq. ft.) but no more than 36.79 m<sup>2</sup> (396 sq. ft.)  
 Accessory buildings and structures, portable garages (see [Part 4](#))  
 Temporary shipping containers  
 Temporary uses

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-detached or semi-detached dwelling	6.1	20	1.2	4	7.6	25
Multi-unit dwelling	6.1	20	1.2	4	7.6	25
Row dwelling	6.1	20	1.2	4	7.6	25
– street side corner lot			3.0	1.0		
All other uses	As required by the Municipal Planning Commission					

### 4. SIDE AND REAR YARD STANDARDS

#### (1) Accessory Buildings

- (a) Permanent accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
  - (b) An accessory building or structure less than 18.58 m<sup>2</sup> (200 sq. ft.) on a non-permanent foundation may be setback not less than 0.6 metre (2 ft.) provided that eaves are not less than 0.3 metre (1 ft.) from any property line.
  - (c) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
  - (d) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.2 metres (4 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
  - (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.2 metres (4 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.2 metres (4 ft.) from the side lot line.
  - (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
  - (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
  - (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
  - (7) Any open or closed porch or verandah shall be considered part of the principal building for the purposes of calculating floor area, site coverage, and setback requirements.

#### (8) Projections Over Yards

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (e) uncovered decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

#### 5. MAXIMUM SITE COVERAGE

Principal and accessory buildings – 45%  
Accessory buildings – 10%

#### 6. MINIMUM FLOOR AREA

Single-detached dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)  
Semi-detached dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per unit  
Multi-unit dwellings – 55.7 m<sup>2</sup> (600 sq. ft.) per unit  
All other uses – As required by the Municipal Planning Commission

#### 7. MAXIMUM BUILDING HEIGHT

Accessory buildings – 4.6 m (15 ft.)  
Principal buildings – 10.1 m (33.0 ft.)  
Secondary suites (detached garage) – 7.5 m (24.6 ft.)

#### 8. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.
- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.

- (3) The Development Authority may limit the number of accessory buildings on a lot.



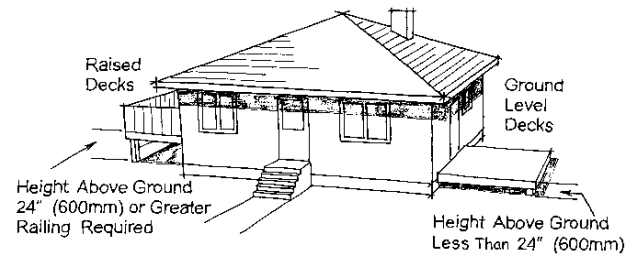
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements** – see [Section 4](#) above.
- (7) A detached garage with an approved secondary suite is allowed to a maximum height of 7.5 m (24.6 ft.).

## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) Each dwelling unit shall provide an outdoor private amenity space not less than 7.5 metres (80 sq. ft.), with no dimension less than 1.5 metres (5 ft.), in the form of a balcony, deck or patio. A privacy wall/screen, or other suitable form of screening, shall be used to provide partial screening of the private amenity area and shall be no greater than 2.44 metres (8 ft.) above the finished floor elevation of a balcony, deck or patio. The orientation and design of a private amenity space shall be such that the privacy of the adjacent dwellings is preserved.
- (7) For the purpose of applying these standards of the bylaw:
  - (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
  - (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.

(c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.

(d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be attached to a dwelling.



(e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(g) A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the balcony, deck or patio.

(h) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

## 10. HIGHER DENSITY RESIDENTIAL

When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:

- (a) compatibility with the general height, building design and nature of existing houses;
- (b) adequate off-street parking;
- (c) suitable landscaping and on-site amenities such as playground equipment, etc.;
- (d) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
- (e) the ability of municipal utilities to accommodate the proposed density of development; and
- (f) possible impact on future land uses and the street system.

## 11. SECONDARY SUITES (DETACHED GARAGE) STANDARDS

The general land use provisions for the district shall apply, unless otherwise noted below.

- (1) Accessory structures shall not be used as a dwelling unless it is an approved additional secondary suite unit.

- (2) For a suite above a detached garage, the maximum height to roof peak of the garage shall be 7.5 metres (24.6 ft.), and the accessory suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure.
- (3) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being constructed within or in conjunction to a duplex, semi-detached dwelling, multi-attached dwelling or apartment housing.
- (4) A maximum of one secondary suite is permitted on any single-detached dwelling lot.
- (5) In no instance shall two separate accessory buildings be developed on a single site where one is a detached garage and the other contains a secondary suite.
- (6) A secondary suite above a detached garage shall only be permitted on lots with lanes.
- (7) A secondary suite shall not be located within a garage unless a single-detached dwelling is already erected on the site.
- (8) A secondary suite shall remain accessory to and subordinate to the single-detached dwelling and shall not exceed 72.8 m<sup>2</sup> (784 sq. ft.), and have a minimum floor area of 29.73 m<sup>2</sup> (320 sq. ft.). Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (9) The maximum lot coverage of the suite with detached garage shall be limited to the area as stipulated for an accessory building for the applicable land use district.
- (10) A secondary suite in conjunction with a detached garage shall be located a minimum of 2.4 metres (8 ft.) from the principal dwelling unit. Other side and rear yard setbacks shall be as stipulated by the applicable district.
- (11) A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (12) One on-site parking space shall be provided for each secondary suite in addition to the parking requirements for the principal dwelling pursuant to the Land Use Bylaw.
- (13) A secondary suite shall comply with all Alberta Building Code requirements, including but not limited to fire wall separations, separate accesses to each dwelling unit and separate heating systems for each dwelling unit.
- (14) A secondary suite shall be located on the upper floor of the garage and the main (grade) floor shall be restricted for garage/accessory use. The building must be utilized as a functional garage with a functional garage door installed and cannot be used for additional living space.
- (15) A secondary suite (detached garage) may only be approved if it is verified that it can be constructed on a foundation of strip footings and concrete walls, concrete piers set below frost level, or other suitable foundation in accordance with the Alberta Building Code.

## **12. STANDARDS OF DEVELOPMENT – See Part 4.**

## **13. LANDSCAPING AND SCREENING – See Part 4, Section 11.**



**14. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**15. HOME OCCUPATIONS** – See Part 4, Section 31.

**16. SIGNS** – See Part 5.



## RESIDENTIAL MULTI-UNIT – R5

**INTENT:** The purpose of this district is to accommodate a variety of residential housing options by providing high-quality multi-unit dwelling environments, integrated into either existing or proposed residential neighbourhoods.

### 1. PERMITTED USES

Accessory buildings and structures, 23.23 m<sup>2</sup> (250 sq. ft.) or less  
 Day homes  
 Dwellings:  
     – Multi-unit up to 4 units  
     – Row dwelling up to 6 units  
     – Semi-detached - all types  
 Home occupations A  
 Signs Type 1 (in accordance with [Part 5](#))  
 Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

Shipping containers  
 ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Part 1, Section 31, is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures, greater than 51.1 m<sup>2</sup> (550 sq. ft.)  
 Accessory uses  
 Day care facilities  
 Dwellings:  
     – Multi-unit more than 4 units  
     – Row dwelling with more than 6 units  
 Home occupations B  
 Lodging or boarding houses  
 Parks, playgrounds and open spaces  
 Portable garages (fabric buildings) and storage structures  
 Public and private utilities  
 Senior Citizen Housing  
 Small wind energy system – Type A (see [Part 4, Section 42](#))

#### TYPE B – Development Officer

Accessory buildings and structures, greater than 23.23 m<sup>2</sup> (250 sq. ft.) but no more than 51.1 m<sup>2</sup> (550 sq. ft.)  
 Accessory buildings and structures, portable garages (see [Part 4](#))  
 Temporary shipping containers  
 Temporary uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Semi-detached						
– interior lot	15.2	50	30.5	100	464.5	5,000
– corner lot	21.3	70	30.5	100	650.7	7,000
Semi-detached (each side)						
– interior lot	7.6	25	30.5	100	232.3	2,500
– corner lot	10.6	35	30.5	100	325.3	3,500

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Multi-unit up to 4 units						
– interior lot	18.3	60	30.5	100	557.4	6,000
– corner lot	22.9	75	30.5	100	696.8	7,500
Multi-unit more than 4 units	30.5	100	30.5	100	929.0	10,000
Row dwelling (each unit)	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Semi-detached dwelling	6.1	20	1.5	5	7.6	25
Multi-unit dwelling	7.6	25	1.5	5	7.6	25
Row dwelling	7.6	25	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

**Note:** All yard dimensions are from the outside foundation wall to the property line.

### 4. SIDE AND REAR YARD STANDARDS

- (1) Accessory buildings in excess of 9.3 m<sup>2</sup> (100 sq. ft.), other than garages accessed from a lane, shall not be less than 0.9 metre (3 ft.) from a side or rear lot line, and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) An attached carport may be permitted in a side yard, but shall not be less than 1.5 metres (5 ft.) from a side lot line and shall not be enclosed on more than two sides (including the side of the principal building), or on three sides to a maximum of 0.9 metre (3 ft.) above grade.
- (3) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot in which case one corner of the structure may be less than 1.5 metres (5 ft.) from the side lot line and provided that two-thirds of the building is not less than 1.5 metres (5 ft.) from the side lot line.
- (4) The side yard provision does not limit the building of a semi-detached dwelling or row dwelling where each dwelling is on a separate lot.
- (5) Garages accessed from a lane shall be a minimum of 1.5 metres (5 ft.) from a lane.
- (6) To obtain a development permit approval for a rear yard garage or carport on laneless lots or on lots where there is no access to a lane, there shall be a minimum 3.0 metre (10 ft.) side yard setback between the principal building and one side yard property line and the other side yard shall be at 1.5 metres (5 ft.).
- (7) Any open or closed porch or verandah shall be considered part of the principal building for the purposes of calculating floor area, site coverage, and setback requirements.

**(8) Projections Over Yards**

The portions of, and attachments to, a principal building which may project over a minimum yard area:

- (a) a cornice, a belt course, a sill, a canopy or eave which projects over a yard a distance not exceeding one-half of the width of the smallest yard required for the site;
- (b) unenclosed steps with or without a landing if they do not project more than 2.5 metres (8 ft.) where they are above the surface of the yard;
- (c) cantilevers projecting from a building into a side yard must meet the required side yard setbacks as stipulated;
- (d) unenclosed porches up to 2.0 metres (6.5 ft.) into a required front yard;
- (e) unenclosed decks up to 3.0 metres (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling.

**5. MAXIMUM SITE COVERAGE**

Principal and accessory buildings	– 50%
<i>(Principal may cover 50% with no associated accessory)</i>	
Accessory buildings	– 10%
Principal building and accessory buildings combined	– 50%

**6. MINIMUM FLOOR AREA**

Multi- unit dwellings	– 55.7 m <sup>2</sup> (600 sq. ft.) per unit
Row dwelling	– 74.3 m <sup>2</sup> (800 sq. ft.) per unit
Semi-detached dwellings	– 65.0 m <sup>2</sup> (700 sq. ft.) per unit
All other uses	– As required by the Municipal Planning Commission

**7. MAXIMUM BUILDING HEIGHT**

Accessory buildings	– 4.6 m (15 ft.)
Single-detached dwelling, semi-detached, multi-unit dwelling units	– 10.1 m (33.0 ft.)
Apartments and row house	– 11 m (36 ft.)

**8. ACCESSORY BUILDINGS AND STRUCTURES**

The following regulations are applicable to accessory buildings and structures:

- (1) **Maximum Height** – No accessory building shall exceed 4.6 metres (15 ft.) in height.

- (2) The first accessory building, which is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit.

- (3) The Development Authority may limit the number of accessory buildings on a lot.



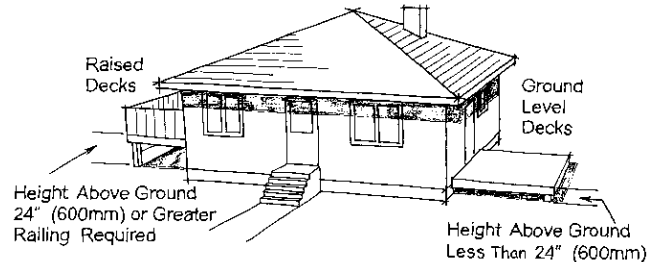
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.
- (6) **Minimum Yard Setback Requirements:** see [Section 4](#) above.
- (a) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (b) An accessory building or structure shall be setback a minimum 1.2 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.

## 9. DECKS AND AMENITY SPACES

- (1) A development permit is required for the construction of any deck 0.6 metre (2 ft.) or more above grade in height. Deck height is measured from the finished grade to the finished floor grade of the deck.
- (2) A development permit is required for the construction of any deck that is covered or enclosed (roof or walls), regardless of the height.
- (3) A development permit is required for the construction of a deck if it will be attached to a principal building.
- (4) For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks. Decks are part of the overall maximum site or lot coverage.
- (5) Decks not attached to a building that are not 0.6 metre (2 ft.) or more in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.
- (6) **REAR YARD SETBACKS:** see [Section 4](#) above.

(7) For the purpose of applying these standards of the bylaw:

- (a) A **deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.
- (b) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.
- (c) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (d) A ground level patio means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.
- (e) Privacy walls/screens associated with decks 0.6 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.
- (f) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.
- (g) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.



## 10. HIGHER DENSITY RESIDENTIAL

- (1) When dealing with proposals for higher density residential development in existing developed neighbourhoods, the following shall be considered:
  - (a) compatibility with the general height, building design and nature of existing houses;
  - (b) the massing of the building with regards for streetscape, the parcel, setbacks, and adjacent land uses;
  - (c) adequate off-street parking;
  - (d) suitable landscaping and on-site amenities such as playground equipment, etc.;
  - (e) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
  - (f) the ability of the site to provide outdoor amenity space for residents;
  - (g) the ability of municipal utilities to accommodate the proposed density of development; and



(h) possible impact on future land uses and the street system.

(2) For-multi unit dwellings, each unit must have its own separate utility and meter service.

**11. STANDARDS OF DEVELOPMENT** – See Part 4.

**12. LANDSCAPING AND SCREENING** – See Part 4, Section 11.

**13. OFF-STREET PARKING REQUIREMENTS** – See Part 4, Section 20.

**14. HOME OCCUPATIONS** – See Part 4, Section 31.

**15. SIGNS** – See Part 5.

## RETAIL COMMERCIAL – C1

**INTENT:** To provide an area suited to commercial uses that comprise a strong and unique central business district, including the redevelopment of existing sites and integrating mixed uses, which are convenient and attractive to pedestrians, while offering ready vehicular access and adequate parking.

### 1. PERMITTED USES

Accessory buildings and structures 11 m<sup>2</sup>  
(120 sq. ft.) or less in size  
Amusement facility  
Business support service  
Coffee shops, restaurants  
Convenience store  
Financial institutions  
Food store/deli, bakery, grocery  
Hotels  
Medical and dental offices  
Personal services  
Professional/business offices  
Public and semi-public buildings  
Restaurants  
Retail stores  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Theatres

### PROHIBITED USES

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures greater than  
11 m<sup>2</sup> (120 sq. ft.) in size  
Accessory uses  
Animal grooming facility  
Child care facility / Day care  
Clubs and organizations  
Commercial health or fitness centres  
Farmers markets  
Funeral home  
Indoor storage in conjunction with an approved  
commercial use  
Laundromat  
Licensed lounges  
Liquor stores  
Outdoor storage limited, in conjunction with an  
approved commercial use  
Parking areas and structures  
Pawn shop  
Public and private utilities  
Recycling operations  
Residential accommodation as part of a mixed-  
use commercial building  
Shipping container, permanent  
Signs Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A (see [Part 4](#),  
[Section 42](#))  
Taxidermy  
Veterinary clinic, small animal  
Workshop accessory to retail stores

#### TYPE B – Development Officer

Temporary shipping containers  
Temporary uses

## 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	7.6	25	30.5	100	232.3	2,500

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	0.9	3	None required		7.6	25
	If required by the DO or MPC					

## 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 80%

## 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys  
Accessory structure – 6.1 m (20 ft.)

- (1) The roofline of the principal structure shall be compatible with the surrounding structures to the satisfaction of the Development Authority.
- (2) Roof mounted mechanical units may exceed the maximum building height provided they are concealed by screening in a manner compatible with the architectural character of the building or concealed by the building roof or a parapet wall.

## 6. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (a) Accessory buildings or structures 9.3 m<sup>2</sup> (100 sq. ft.) or less in size shall be constructed such that eaves shall be not be less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (b) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall not be less than 0.9 metres (3 ft.) from a side or rear lot line.
- (c) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback (separated) a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

## 7. OUTDOOR STORAGE AND SALES

- (1) No on-site outdoor storage or sale of goods shall be permitted within this land use district unless expressly approved in a development permit.

- (2) Any approved outdoor storage shall be limited to the rear yard and must be screened or fenced to the satisfaction of the Development Authority, with consideration for [Section 7](#) of this district. Outdoor storage shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (3) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:
  - (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items sold by the business or industrial use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback or on municipal property; and
  - (c) the display areas are not located on any required and approved landscaping area.
- (4) Approved shipping containers must be located in the rear yard only and are not to be located in a front or side yard. As a condition of development permit approval, the Development Authority may require the shipping container to be screened or painted.

## **8. LANDSCAPING AND SCREENING STANDARDS**

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Development along Highway 25 may be subject to enhanced landscaping standards to ensure consistency with the Municipal Development Plan policies regarding entryways into the community.
- (5) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (6) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 m (10 ft.) landscaped buffer between the property line and the adjacent use.
- (7) All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the structure to the satisfaction of the Development Authority.

- (8) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
  - (a) vegetation (e.g. trees, shrubs, lawn, flowers);
  - (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);
  - (c) buffering (e.g. berming, terracing, paving stones);
  - (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
  - (e) innovative landscaping features, as approved by the Development Authority.
- (9) For additional standards that may apply – **See Part 4.**

#### **9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – SEE PART 4.**

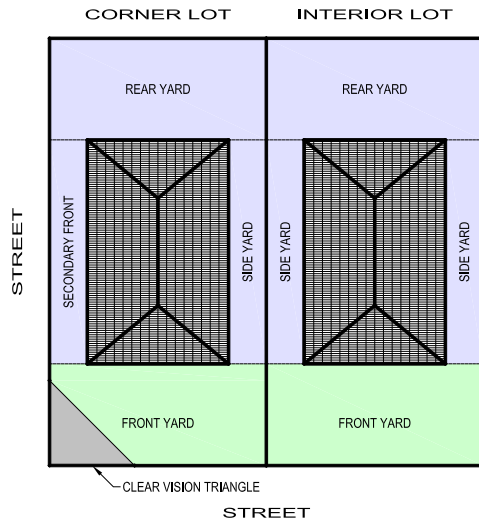
A commercial or other associated development in this district is required to meet the parking and loading area requirements outlined in **Part 4, Section 20**, which may be imposed as a condition on a development permit approval.

#### **10. STACKING SPACES FOR DRIVE-THROUGH USES**

- (1) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
  - (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window
  - (b) Gas station: 9.1 m (30 ft.) from each end on pump island
  - (c) Bank machine: 22.9 m (75 ft.) from bank machine window
  - (d) Car wash: 15.2 m (50 ft.) from car wash entrance
  - (e) Other: As determined by the Development Authority
- (2) The minimum stacking space requirements in **Section 10(1)** above may be varied by the Development Authority depending upon the intensity of the proposed development.

#### **11. FENCES**

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



#### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

### 12. STANDARDS OF DEVELOPMENT – See Part 4.

- (1) **Part 4** contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

### 13. MIXED-USE DEVELOPMENTS

- (1) Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in **Part 4** will apply.
- (2) Residential accommodation as part of a mixed-use commercial building must be in conjunction with a commercial use on the main floor, and the residential use must be by the operator of the business.

### 14. SITE PLANS

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in **Section 14(1)** above as part of the development permit application, for any proposed mixed-use parcel of land.

**15. DECKS AND AMENITY SPACES** – See Part 4.

**16. SIGNS** – See Part 5.

**17. CANOPIES** – See Part 5, Section 9.



## HIGHWAY COMMERCIAL – C2

**INTENT:** To ensure the sites adjacent to the highway are reserved for appropriate commercial uses for the benefit of the motoring public and regional commerce with an emphasis on high quality development standards.

### 1. PERMITTED USES

Accessory buildings and structures 11 m<sup>2</sup> (120 sq. ft.) or less in size  
 Auto sales and service  
 Business Support Services  
 Coffee shops, restaurants  
 Convenience stores  
 Drive-thru restaurants  
 Hotels or Motels  
 Restaurants  
 Retail stores  
 Signs Type 1 (in accordance with [Part 5](#))  
 Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

- ◆ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures greater than 11 m<sup>2</sup> (120 sq. ft.) in size  
 Accessory uses  
 Animal grooming facility  
 Auction market (non-livestock)  
 Building supply centre  
 Bulk oil stations  
 Car washes  
 Farm machinery outlets  
 Farmer markets  
 Flea markets  
 Funeral home  
 Garden centre  
 Gas/Service stations (see [Part 4](#))  
 Liquor store  
 Parking areas and structures  
 Public and private utilities  
 Outdoor storage limited, in conjunction with an approved commercial use  
 Recreational Vehicle sales and service  
 Shipping containers, permanent (see [Part 4](#))  
 Signs Type 2 (in accordance with [Part 5](#))  
 Small wind energy system – Type A (see [Part 4, Section 42](#))  
 Tourist centres or facilities  
 Veterinary clinics, large and small animal

#### TYPE B – Development Officer

Temporary shipping containers  
 Temporary uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	22.9	75	38.1	125	870.9	9,375

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	9.1	30	6.1	20	6.1	20

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 50%

### 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys

Accessory structure – 6.1 m (20 ft.)

- (1) The roofline of the principal structure shall be compatible with the surrounding structures to the satisfaction of the Development Authority.
- (2) Roof mounted mechanical units may exceed the maximum building height provided they are concealed by screening in a manner compatible with the architectural character of the building or concealed by the building roof or a parapet wall.

### 6. ACCESSORY BUILDINGS AND STRUCTURES

The following regulations are applicable to accessory buildings and structures:

- (a) Accessory buildings or structures 9.3 m<sup>2</sup> (100 sq. ft.) or less in size shall be constructed such that eaves shall be not be less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (b) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall not be less than 0.9 metres (3 ft.) from a side or rear lot line.
- (c) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback (separated) a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

### 7. OUTDOOR STORAGE AND SALES

- (1) No on-site outdoor storage or sale of goods shall be permitted within this land use district unless expressly approved in a development permit.
- (2) Any approved outdoor storage shall be limited to the rear yard and must be screened or fenced to the satisfaction of the Development Authority, with consideration for [Section 8](#) of this district. Outdoor storage shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (3) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:

- (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items sold by the business or industrial use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback or on municipal property; and
  - (c) the display areas are not located on any required and approved landscaping area.
- (4) Approved shipping containers must be located in the rear yard only and are not to be located in a front or side yard. As a condition of development permit approval, the Development Authority may require the shipping container to be screened or painted.

## **8. LANDSCAPING AND SCREENING STANDARDS**

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Development along Highways may be subject to:
  - (a) enhanced landscaping standards to ensure consistency with the Municipal Development Plan policies regarding entryways into the community; and
  - (b) specific conditions or requirements of Alberta Transportation.
- (5) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (6) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 metres (10 ft.) landscaped buffer between the property line and the adjacent use.
- (7) All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the structure to the satisfaction of the Development Authority.
- (8) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
  - (a) vegetation (e.g. trees, shrubs, lawn, flowers);
  - (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);

- (c) buffering (e.g. berming, terracing, paving stones);
  - (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
  - (e) innovative landscaping features, as approved by the Development Authority.
- (9) For additional standards that may apply – **See Part 4.**

## **9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, A. General Use Provisions**

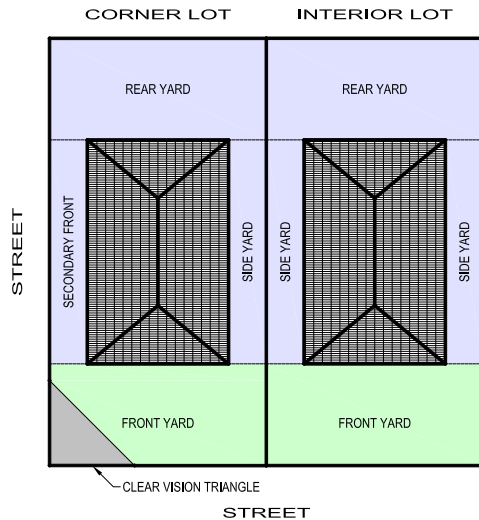
A commercial or other associated development in this district is required to meet the parking and loading area requirements outlined in **Part 4**, which may be imposed as a condition on a development permit approval.

## **10. STACKING SPACES FOR DRIVE-THROUGH USES**

- (1) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
  - (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window  
For order boxes associated with 1(a), the order box must be located a minimum of 9.1 m (30 ft.) from the boundary of a road right-of-way.
  - (b) Gas station: 9.1 m (30 ft.) from each end on pump island
  - (c) Bank machine: 22.9 m (75 ft.) from bank machine window
  - (d) Car wash: 15.2 m (50 ft.) from car wash entrance
  - (e) Other: As determined by the Development Authority
- (2) The minimum stacking space requirements in **Section 10(1)** may be varied by the Development Authority depending upon the intensity of the proposed development.

## **11. FENCES**

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



#### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

### 12. STANDARDS OF DEVELOPMENT – See Part 4.

- (1) **Part 4** contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

### 13. MIXED-USE DEVELOPMENTS

Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in **Part 4** will apply.

### 14. SITE PLANS

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in **Section 14(1)** as part of the development permit application, for any proposed mixed-use parcel of land.

### 15. STANDARDS OF DEVELOPMENT – See Part 4.

### 16. LANDSCAPING AND SCREENING – See Part 4, Section 11.

### 17. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.

**18. SIGNS** – See Part 5.

## INDUSTRIAL – I

**INTENT:** To provide for and encourage the orderly industrial development of this district in a manner compatible with other land uses.

### 1. PERMITTED USES

Accessory buildings and structures 11 m<sup>2</sup>  
(120 sq. ft.) or less in size  
Building and special trade contractors  
Business support service  
Farm machinery sales and service outlets  
Grain elevators or storage  
Mini-storage  
Offices and business administration  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors, individual (see [Part 4](#))  
Taxidermy  
Warehousing and indoor storage facilities  
Wholesaling

### PROHIBITED USES

Livestock sales yards  
Noxious and hazardous uses  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures greater than  
11 m<sup>2</sup> (120 sq. ft.) in size  
Accessory uses  
Auction market (non-livestock)  
Auto body repair and paint shop  
Automobile sales and service outlets  
Building supply centre  
Bulk fuel stations  
Cannabis production facility  
Car and truck washing facilities  
Cardlock fuel station  
Food processing industries  
Garden centre  
Gas/Service stations  
Greenhouse  
Kennel  
Landscaping materials sales and service  
Lumber yard/building supplies  
Manufactured home sales and service  
Manufacturing and processing facilities, general  
Mechanical sales and service  
Moved-in building  
Non-noxious manufacturing and processing  
facilities  
Portable fabric buildings and storage structures  
Public and private utilities  
Recycling facility  
Seed cleaning plants  
Shipping containers (see [Part 4](#))  
Signs Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A, B and C  
(see [Part 4](#))  
Transportation depot  
Veterinary clinics, small and large animal  
Welding and metal fabrication



## DISCRETIONARY USES

### TYPE B – Development Officer

Outdoor storage

Surveillance suite

Temporary shipping containers

Temporary uses

## 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	30.5	100	30.5	100	929	10,000

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0 (internal)	10	As required by the DO or MPC	
			4.6 (corner)	15		

## 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 60%

## 5. MAXIMUM BUILDING HEIGHT

Principal structure – 10.7 m (35 ft.) and a maximum of three storeys

Accessory structure – 7.6 m (25 ft.)

## 6. ACCESSORY BUILDINGS AND STRUCTURES

- (1) Accessory buildings or structures setbacks to the side or rear lot line shall be to the discretion of the Development Authority, with consideration for required setbacks and minimum distance separations based on the materials stored in accessory structures. In all instances the accessory building or structure setbacks shall be constructed such that eaves shall be not less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

## 7. INDUSTRIAL DEVELOPMENT STANDARDS

- (1) No use shall be approved which may generate traffic problems within the district.
- (2) Any proposed industrial development shall meet all the required and appropriate regulations of the Alberta Building Code.

- (3) On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.
- (4) Landscaping, fencing, screening and siting or setback restrictions may be imposed as a condition of a development permit, with consideration for [Section 8 and 9](#) below, and [Part 4, Section 11](#).
- (5) Where it appears that greater side yard setbacks may be necessary, the Development Authority may impose such a requirement as a condition of a development permit.
- (6) No operation or activity associated with any use in this District shall be permitted which would create a nuisance factor from noise, odour, earthborn vibrations, heat, intense light sources or dust, outside an enclosed building.
- (7) See [Part 4, A. General Use Provisions](#) for additional requirements.
- (8) See [Part 4, B. Specific Use Provisions](#).

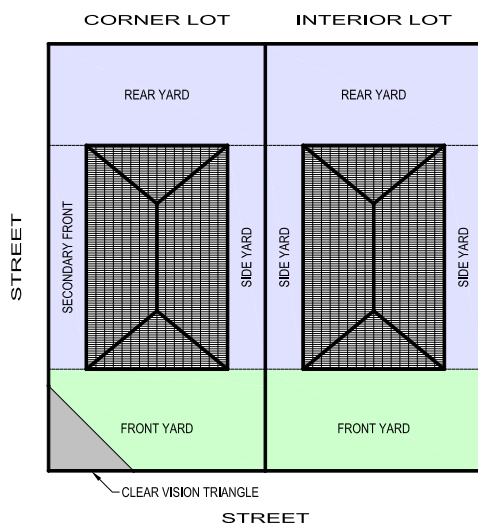
## **8. LANDSCAPING, SCREENING AND LOCATION OF STORAGE**

- (1) No outdoor storage shall be permitted in the required front yard setback of 7.6 metres (25 ft.), nor in the required corner lot side yard setback of 4.6 metres (15 ft.).
- (2) The minimum front yard setback area, or an equal percentage of the site area as required by the Municipal Planning Commission, and in the case of corner lots, the minor front yard setback area as well, shall be comprehensively landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission in accordance with the guidelines in this section and [Part 4, Section 11](#).
- (3) Other outdoor storage areas shall be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof, and shall be maintained in good repair unless exempted by the Municipal Planning Commission. For fencing see [Section 9](#) below.
- (4) Separation, or buffering, between adjacent land uses may be required, including the use of trees, shrubs, fences, walls, and berms to buffer or screen uses of negative impact.
- (5) See [Part 4, A. General Use Provisions](#) for landscaping requirements.
- (6) Outdoor storage is prohibited in the front yard. All loading, service, and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (7) The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:
  - (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items manufactured or sold by the use located on the subject site containing the display area;
  - (b) the outdoor display areas are not located within any required setback; and

- (c) the display areas are not located on any required and approved landscaping area.
- (8) Refuse or garbage shall be kept in a suitably-sized container or enclosure and shall be located in a rear yard only. Refuse containers shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (9) Equipment, parts, wrecked or damaged motor vehicles which might be located or stockpiled on the property as part of an approved development must be effectively screened from all adjacent parcels and roadways in the vicinity.
- (10) The Development Authority may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Authority such projections are:
  - (a) inconsistent with the character and appearance of surrounding development or intended visual qualities of this District; or
  - (b) are required in accordance with any area structure plan policies.

## 9. FENCES

- (1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (see figure).
- (2) Fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (see figure).
- (3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



### Fence Height Provisions

Green area = fence height 3 ft. or less

Blue area = fence height 8 ft. or less

## **10. LOADING AREA REQUIREMENTS**

- (1) For commercial, industrial and other uses, there shall be a minimum of one off-street designated loading area, or more as required by the Development Authority. Uses such as office buildings, business support services, and professional services that do not involve the production, sales, storage or shipping of products or goods may be exempted from this requirement by the Development Authority.
- (2) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow, site access/approaches onto public roadways, or parking.
- (3) See [Part 4, General Use Provisions](#) for additional standards.

## **11. MIXED-USE DEVELOPMENTS**

Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in [Part 4](#) will apply.

## **12. SITE PLANS**

- (1) The Development Authority may require a professionally prepared detailed site plan as part of the development permit application. A site plan shall illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, utility easements and any other item the Development Authority considers necessary.
- (2) The Development Authority shall require a professionally prepared site plan as described in [Section 12\(1\)](#) as part of the development permit application, for any proposed mixed-use parcel of land.

## **13. STANDARDS OF DEVELOPMENT – See Part 4, A. General Use Provisions**

- (1) [Part 4](#) contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

## **14. STANDARDS OF DEVELOPMENT – See Part 4. B. Specific Use Provisions**

## **15. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.**

## **16. SIGNS – See Part 5.**



## PUBLIC – P

**INTENT:** To provide for institutional, public and semi-public uses which are compatible with each other and with adjoining land use districts. These will often include government, community, educational and recreational types of uses.

### 1. PERMITTED USES

Accessory buildings and structures 11 m<sup>2</sup>  
(120 sq. ft.) or less in size  
Cemetery  
Government offices  
Libraries  
Parks, playgrounds, sportsfields, open spaces  
and other public recreation areas  
Places of worship  
Post offices  
Public use facilities  
Solar collectors, individual (see [Part 4](#))

### PROHIBITED USES

Shipping containers

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with [Part 1, Section 31](#), is a Prohibited Use.*

### DISCRETIONARY USES

#### TYPE A

Accessory buildings and structures 44.96 m<sup>2</sup>  
(484 sq. ft.) or greater in size  
Accessory uses  
Adult care facility  
Campgrounds, public  
Child care facility  
Clubs and fraternal organizations  
Commercial recreation  
Community hall or facility  
Educational facilities  
Group home  
Hospital  
Museum  
Portable garages (fabric buildings) and storage  
structures  
Private nursing home  
Private clubs and recreation facilities  
Public and private utility accessory structure  
Public and private utility structures  
Schools – Public and private  
Senior citizens' lodges  
Signs Type 1 and Type 2 (in accordance with [Part 5](#))  
Small wind energy system – Type A and B (see [Part 4](#))

#### TYPE B – Development Officer

Accessory buildings and structures, greater than  
11 m<sup>2</sup> (120 sq. ft.) but less than 44.96 m<sup>2</sup>  
(484 sq. ft.) in size  
Temporary shipping containers  
Temporary uses

### 2. MINIMUM LOT SIZE

As required by the Development Officer or Municipal Planning Commission.

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0	10	7.6	25

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings combined – 50%

### 5. MAXIMUM BUILDING HEIGHT

Principal structure – 7.6 m (25 ft.)

Accessory structure – 6.1 m (20 ft.)

### 6. ACCESSORY BUILDINGS AND STRUCTURES

- (1) Accessory buildings or structures setbacks to the side or rear lot line shall be to the discretion of the Development Authority, with consideration for the size and use. In all instances the accessory building or structure setbacks shall be constructed such that eaves shall be not less than 0.6 metres (2 ft.) to a side or rear lot line and all drainage shall be conducted to the appropriate storm drain via the applicant's own property.
- (2) Accessory buildings or structures in excess of 9.3 m<sup>2</sup> (100 sq. ft.) shall be setback a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.

### 7. LANDSCAPING

- (1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- (3) If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- (4) Off-street parking lots shall be landscaped and/or screened to the satisfaction of the Development Authority. An off-street parking lot designed to accommodate more than 25 vehicles shall provide landscaping in the form of landscaped islands, landscaping between rows of parking stalls, or other suitable landscaping to the satisfaction of the Development Authority.
- (5) Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 metres (10 ft.) landscaped buffer between the property line and the adjacent use.



(6) Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:

- (a) vegetation (e.g. trees, shrubs, lawn, flowers);
- (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);
- (c) buffering (e.g. berming, terracing, paving stones);
- (d) outdoor amenity areas (e.g. benches, walkways, raised planters, etc.);
- (e) innovative landscaping features, as approved by the Development Authority.

**8. STANDARDS OF DEVELOPMENT – See Part 4.**

**9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Part 4, Section 20.**

**10. SIGNS – See Part 5.**



## URBAN RESERVE – UR

**INTENT:** To limit and orderly manage development in areas along the community's fringe to uses which will not constrain the transition to more intensive urban development in the future. Development and fragmentation of land is to be limited in order to preserve land and enable it to be more efficiently planned for and serviced in the future. Agricultural uses may occur in the interim prior to land being planned for and developed as more intensified urban use, but such uses are limited to non-noxious, minor activities related to the cultivation of land, crop production and temporary/seasonal grazing.

### 1. PERMITTED USES

Extensive agriculture (see definition and section 8 of this district)  
Irrigated farming  
Manure application/spreading (see section 8 of this district)  
Market gardens  
Nursery  
Pasturing and grazing of livestock - temporary (see section 8 of this district)

### PROHIBITED USES

Keeping of confined livestock, farm or exotic animals, including animal shelters, cattle barns or feedlots, swine barns, poultry barns, etc.  
Manure or compost stockpiles  
Noxious and hazardous uses  
Shipping containers  
♦ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Part 1, Section 31, is a Prohibited Use.*

### 2. MINIMUM LOT SIZE

2 hectares (5 acres) – This minimum may be varied by the Municipal Planning Commission if there is provision for all-weather access and connections to all main services.

### 3. DEVELOPMENT PREREQUISITE

The Municipal Planning Commission may require that a discretionary use may only be approved when an area structure plan for the site has been adopted by Council.

### 4. MINIMUM SETBACK REQUIREMENTS

As required by the Development Officer or Municipal Planning Commission.

### DISCRETIONARY USES

#### TYPE A

Accessory buildings, structures and uses  
Campgrounds  
Playgrounds  
Portable garages (fabric buildings) and storage structures (see Part 4)  
Public and private utilities  
Public parks  
Residential accommodation in conjunction with an approved agricultural use  
Signs Type 1 and Type 2 (in accordance with Part 5)  
Small wind energy system – Type A, B and C (see Part 4)  
Sportsfields  
Veterinary clinic, small animal

#### TYPE B – Development Officer

Bed and breakfasts (see Part 4)  
Day homes (see Part 4)  
Temporary shipping containers (see Part 4)  
Temporary uses

## **5. MAXIMUM SITE COVERAGE**

As required by the Development Officer or Municipal Planning Commission.

## **6. EXTENSIVE AGRICULTURE AND LIVESTOCK GRAZING**

- (1) Development permits are not required for extensive agriculture uses; however, such uses are limited to non-noxious, best practice farming activities related to the cultivation of land and crop production or seasonal grazing. Allowable activities include cultivating soil, raising and producing field crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing.
- (2) No development permit is required for temporary or seasonal pasturing, grazing of livestock provided the standards and criteria of the bylaw are adhered to. Prior to commencing the activity, the landowner must notify the municipality of the date on which the livestock will be placed on the land.
- (3) The keeping of confined livestock, farm or exotic animals, manure stockpiling, composting are not permitted in this land use district.
- (4) Pasturing or grazing livestock is permitted on a temporary or seasonal basis in this land use district, subject to the following specific criteria and conditions:
  - (a) Seasonal grazing or pasture use for livestock is only permitted on parcels 20 acres or greater in size that are designated as Urban Reserve (UR).
  - (b) Animal confinement buildings or structures such as barns, shelters, pens or corrals are not permitted.
  - (c) Livestock use is limited to seasonal grazing of cattle (cows or cow/calf pairs) or horses only, not to exceed 6 months in a calendar year.
  - (d) Animal units on the parcel shall not exceed 2 cows (cows or cow/calf pairs) or 1 horse per acre or combination thereof.
  - (e) No stockpiling, short term storage or composting of manure is allowed.
  - (f) Manure application of dry cow manure is permitted subject to the following:
    - (i) A person must not apply manure to land other than arable land and it may be applied only once every three years.
    - (ii) Any application of dry cow manure nutrients on the land (i.e. manure spreading) must be incorporated within 6 hours of application and not occur on frozen or snow covered ground.
    - (iii) The applicable soil nitrate-nitrogen and salinity limits for manure application are to be as set in the *Agricultural Operation Practices Act (AOPA)*.
    - (iv) Manure application must not occur within 75 m (246 ft.) of the property boundary of an adjacent parcel of land containing a residential dwelling.
    - (v) Applicant must notify the Town office a minimum of 24 hours prior to commencing any plans to spread or apply manure to land.
    - (vi) Manure application is not to occur on weekends or statutory public holidays.

(5) See Definitions, Part 6, for the applicable definitions of extensive agriculture, livestock, farm animals and exotic animals.

**7. STANDARDS OF DEVELOPMENT** – See Part 4.

**8. SIGNS** – See Part 5.



## DIRECT CONTROL – DC

**INTENT:** To allow flexibility for approval of uses on suitable sites which have potential for a variety of different uses or require special development or land use restrictions. On sites designated as Direct Control, Council is willing to consider proposals that do not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

### 1. PERMITTED AND DISCRETIONARY USES

Any use Council considers suitable.

### 2. PROHIBITED USES

Any use not expressly approved by Council or a use listed as prohibited by Council.

### 3. MINIMUM LOT SIZE

As Council determines necessary having regard to [Part 2](#).

### 4. MINIMUM SETBACK REQUIREMENTS

As Council considers necessary.

### 5. STANDARDS OF DEVELOPMENT

As Council considers necessary having regard to [Part 4](#).

### 6. SIGNS

As Council considers necessary having regard to [Part 5](#).

### 7. OTHER STANDARDS

As Council requires.

### 8. APPROVAL PROCEDURE

- (1) Before Council considers an application for a use in the Direct Control district, they shall:
  - (a) cause notice to be issued by the Development Officer in accordance with [Part 1, Section 33](#);
  - (b) hear any persons who claim to be affected by a decision on the application.
- (2) Council may then approve the application with or without conditions, or refuse the application.





## DIRECT CONTROL DISTRICTS AND ADOPTING BYLAWS

- (1) Any parcel designated as Direct Control as illustrated on the Land Use Districts Map is designated for that purpose.
- (2) The following is a reference list of redesignation bylaws adopted by Town Council which designated the specified parcels of land to a Direct Control – DC land use district. This list will be updated on an ongoing basis and displays the amending bylaws to the most recent date of the Land Use Bylaw being consolidated (updated). The amending bylaws follow this section

BYLAW NO.	LEGAL DESCRIPTION	DATE OF ADOPTION
844-16	Block L, Plan 8774HS	March 14, 2016



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 844-16**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to redesignate a portion of lands located at **333 - Cowan Avenue South and legally described as Plan 8774HS, Block L containing approximately 1.595 acres more or less from "Residential Multi-unit - R5" to "Direct Control - DC"** as shown on the Map in Schedule 'A'.

AND WHEREAS the purpose of the proposed amendment is to allow for a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.


AND WHEREAS the proposed amendment includes the specific land use district standards applicable to the parcel of land and development as illustrated in Schedule 'B'.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands, described as **Plan 8774HS, Block L containing approximately 1.595 acres** as shown on Schedule 'A', be redesignated from "Residential Multi-unit - R5" to "Direct Control - DC".
2. The Land Use District Map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. The specific land use district standards for the Direct Control district be added into Land Use Bylaw No. 841-15, as provided in Schedule 'B'.
4. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.

READ a first time this 8<sup>th</sup> day of February, 2016.

  
\_\_\_\_\_  
Mayor - Wendy Jones

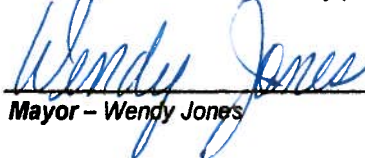
  
\_\_\_\_\_  
Chief Administrative Officer - Larry Davidson

READ a second time this 14<sup>th</sup> day of March, 2016.

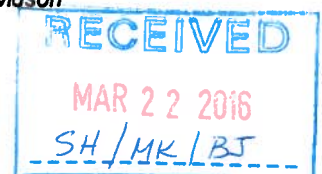
  
\_\_\_\_\_  
Mayor - Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer - Larry Davidson

READ a third time and finally passed this 14<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
Mayor - Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer - Larry Davidson





## SCHEDULE 'B'

### DIRECT CONTROL – DC BYLAW NO. 844-16

**INTENT:** To provide a means whereby Council may regulate and control the use, development, or subdivision on a site specific basis to the following lands: **Plan 8774HS, Block L** (333 - Cowan Avenue South) as shown on Schedule 'A'. For the specific purposes of allowing a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.

The development allowed is based on the plans as approved by Council in consideration of the constraints of the site, compatibility with adjacent public, institutional and residential land uses, and on the basis the development does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

#### 1. PERMITTED AND DISCRETIONARY USES

Only those uses associated with the development of a medium-density adult community housing cluster and as outlined as follows:

##### PERMITTED USES

Attached garages  
Semi-detached dwellings: Site built  
Signs Type 1 (in accordance with [Part 5](#))  
Solar collectors roof-mount, individual (see [Part 4](#))

##### DISCRETIONARY USES

Accessory buildings and structures  
Accessory uses

##### PROHIBITED USES

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use is a Prohibited Use, unless otherwise authorized by Council.*

In addition to those prescribed above, any use Council considers suitable may be considered.

#### 2. MINIMUM LOT SIZE

The minimum lot size shall be as the existing title for Plan 8774HS, Block L, or 1.595 acres.

#### 3. MINIMUM YARD SETBACK REQUIRMENTS

Front yard – 6.1 m (20 ft.) (4<sup>th</sup> Street South considered primary and Cowan Avenue considered secondary front)  
Secondary Front yard - 3.05 m (10 ft.) (Cowan Avenue considered secondary front)

Side yard – 1.5 m (5 ft.) (south and east property lines are considered a side yard)

#### **4. MAXIMUM DENSITY AND SITE COVERAGE**

- (1) The maximum number of dwelling units is 7 semi-detached residential units.
- (2) The maximum site coverage for all principal and accessory buildings combined is 50%.

#### **5. ACCESSORY BUILDINGS AND STRUCTURES**

- (1) Any accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- (2) An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

#### **6. STANDARDS OF DEVELOPMENT**

As Council, or the Development Officer acting as the Development Authority, considers necessary having regard to [Part 4](#).

#### **7. SIGNS**

Only those signs associated with the formal name of the housing development, addressing, or directional signage, as Council, or the Development Officer acting as the Development Authority, considers necessary and compatible, having regard to [Part 5](#).

#### **8. OTHER STANDARDS**

As Council requires.

#### **9. APPROVAL PROCEDURE**

- (1) Before Council, or the Development Officer acting as the Development Authority as assigned by Council, considers an application for a use in the Direct Control district, they shall:
  - (a) cause notice to be issued by the Development Officer in accordance with [Part 1, Section 33](#);
  - (b) hear any persons who claim to be affected by a decision on the application.
- (2) Council, or the Development Officer acting as the Development Authority, may then approve the application with or without conditions, or refuse the application.

#### **10. OTHER REQUIREMENTS (AS MAY BE REQUIRED BY COUNCIL)**

- (1) **Site, Layout, and Grading Plan** – that shows the property dimensions, building size and locations, outdoor storage areas, parking areas, utility easements, elevations and servicing areas.
- (2) **Landscaping Plan** – that shows the front yard landscaping and fencing (height and type) on the property.



- (3) **Refuse or Garbage** – shall be located and kept in a municipally approved/supplied container as per the Town of Picture Butte utility policy, and set out by landowners for collection on pick-up day as schedule by the town.
- (4) **Servicing** – the developer shall be responsible for ensuring all required municipal servicing is provided for the development, including water, sewage and drainage.
  - (a) Shallow utilities (e.g. gas, electricity, fibre optics, phone) as required shall also be provided by the developer to the municipality's or utility agencies' standards.
  - (b) Any utility right-of-ways or access easements as required shall be provided by the developer to the satisfaction of the Town of Picture Butte.
- (5) **Roads/Access/Parking**
  - (a) Public road access/egress to the parcel will be limited to a single existing access point to Cowan Avenue from a private roadway access that serves the condominium development.
  - (b) Physical access from the east may only be permitted provided that the developer obtains approval from the adjacent landowner regarding obtaining access over their private land title via an easement agreement.
  - (c) Parking for visitors must be delineated on site and meet the size standards of the Land Use Bylaw.
  - (d) Vehicle parking is to be prohibited on or adjacent to the internal private access roadway. Parking is to occur on personal driveways associated with semi-detached units, within garages, and in the delineated visitor parking area.
- (6) **Development Agreement** – the developer shall enter into a development agreement with the Town of Picture Butte to satisfy any servicing requirements or standards as stipulated by the Town. All servicing and maintenance of the site shall be the responsibility of the condominium association which is to be stipulated in the development agreement and association's bylaws as deemed necessary.
- (7) **Condominium Association** – the developer shall prepare to the town's satisfaction, a copy of a condominium association bylaw that outlines the roles and responsibilities of the owners and also defines the area and elements of the property to be managed by the association.
- (8) **Site Plan** – the development may only be approved in accordance with overall conformity to the associated site plan as approved by town Council.

## **11. SUBDIVISION**

- (1) Notwithstanding the provisions of this bylaw, subdivision is limited to the form of a bare land condominium plan to enable private dwelling unit ownership which conforms to the area of land designated to the Direct Control district, applicable to Plan 8774HS, Block L.
- (2) The Municipal Planning Commission, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

## **12. DELEGATION OF AUTHORITY**

- (1) Council shall be the Development Authority to decide on development permit applications for the discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- (2) The Development Officer, in accordance with Part 1 Section 35 of the Land Use Bylaw and pursuant to section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon development permit applications for permitted uses provided they conform to the standards of the bylaw.

## **13. APPROVAL PROCEDURE**

- (1) Where the Development Officer as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- (2) Before consideration of a development permit application for a proposal requiring waivers or discretionary use on the subject property, Council shall:
  - (a) cause a notice to be issued by the designated officer to any person likely to be affected;
  - (b) ensure that the notice contains the date and time that council will hear the application for discretionary uses or application for waivers of development standards;
  - (c) hear any person that claims to be affected by the decision on the application;
  - (d) Council may then approve the development application with or without conditions or refuse the application with reasons.
- (3) Where Council has made a decision on a development permit application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the town office.

## **14. APPEAL PROCEEDURE**

- (1) Pursuant to section 641(4)(a) to the Municipal Government Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- (2) If the Development Officer has been delegated the authority to decide upon development permit application as the Development Authority, then the appeal to the Subdivision and Development Appeal Board is limited to whether the Development Officer followed the direction of Council.

## **PART 3**

### **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**



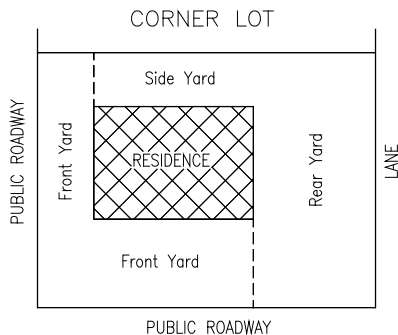
## PART 3

### DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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1. No development permit is required for any development that is specifically exempt by virtue of its inclusion in an exemption regulation.
2. No development permit is required the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled.
3. No development permit is required for the following, but they must otherwise comply with the requirements of this Bylaw:
  - (a) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations, or major works of renovation;
  - (b) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required by section 692 of the *MGA*, provided that:
    - (i) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and
    - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;and the use of any building referred to in [Sections 3\(b\)\(i\) and \(ii\) above](#) for the purpose for which construction was commenced.
  - (c) the placement of a construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed one year providing the trailer is removed upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time;
  - (d) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation;
  - (e) interior renovations to a building which do not:
    - (i) create another dwelling unit,
    - (ii) increase parking requirements,
    - (iii) result in the change of use of a building, or
    - (iv) increase the square footage (increase density);
  - (f) changing the exterior finish of a building unless it is required as a condition of an authorized development permit;

- (g) the use of a building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
- (h) the erection of gates, fences, walls, hedges or other means of enclosure which are:
  - (i) not more than 0.9 metre (3 ft.) in height in front yards and all yard spaces on corner lots lying between the dwelling and the public roadway (as illustrated in the following diagram);



- (ii) not more than 1.8 metres (6 ft.) in all other yards in residential land use districts;
- (iii) not more than 2.4 metres (8 ft.) in rear and side yards in commercial and industrial land use districts;
- (i) the temporary erection or construction of buildings, works, plant or machinery needed in connection with operations for which a development permit and a building permit have been issued;
- (j) concrete or asphalt parking surfaces (excluding carports);
- (k) the erection or placement of one accessory building or structure that is detached and less than 9.3 m<sup>2</sup> (100. sq. ft.) in area providing that it otherwise complies with this Bylaw (additional accessory buildings or structures will require a development permit);
- (l) uncovered patios or stairs provided they do not project more than the allowed distance into required setbacks;
- (m) landscaping, fish ponds, fountains, ornaments, flagpoles (less than 4.88 metres (16 ft.) in height), garden/flower boxes, or other similar landscaping features;
- (n) rear, ground level deck less than 0.61 metre (2 ft.) in height provided they meet the minimum setback requirements for accessory buildings or structures;
- (o) any residential hard surfaced or gravel driveways, parking pads not supporting a garage or carport, and/or paving stones, that was not required as part of the original development permit;
- (p) satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter provided installation meets all requirements within the Land Use District pertaining to the development;
- (q) temporary and/or portable swimming pools and hot tubs 11.15 m<sup>2</sup> (120 sq. ft.) or less in size but are subject to Safety Codes and may require a building permit. (Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.) – refer to [Part 4, Section 36](#) for other Swimming Pool standards;

- (r) temporary outdoor and seasonal sales businesses that are not permanent (e.g. farmers markets, individual single-event farm auction or estate sales, portable or seasonal fruit and vegetable stands, Christmas tree sales, etc.) that do not operate on the site more than 30 days in a calendar year;
  - (s) the carrying out of activities related to extensive agriculture or the grazing and pasturing of livestock as permitted in a land use district, provided it is in accordance with the specific standards and criteria of the bylaw, and with respect to the landowner adhering to good farming practices. Notwithstanding that no development permit may be required, the applicant is responsible for adhering to any other or additional regulations that may be stipulated in the Town of Picture Butte's Animal Regulations Bylaw.
4. No development permit is required for certain signs as outlined in [Part 5 – Sign Regulations, Section 3 \(Signs Not Requiring A Permit\)](#). Typically, real estate signs, election signs, garage sale signs, window signs, municipal addresses, etc. will not require a development permit.
  5. A development permit is not required for demolition:
    - (a) if a development permit has been approved for development on the same site and demolition is implicit in that permit; or
    - (b) for accessory buildings or structures of less than 18.58 m<sup>2</sup> (200 sq. ft.) in area.
  6. Although the previous listed items may eliminate the necessity of a Development Permit, the applicant is still responsible for obtaining any required Building Permit and/or adhering to any other applicable legislation, safety codes or municipal bylaw.
  7. If there is a doubt as to whether a development permit is required, the matter shall be referred to the Development Authority for a determination of whether a development permit is required.





## PART 4

### STANDARDS OF DEVELOPMENT



# PART 4

## STANDARDS OF DEVELOPMENT

Except for more specific, alternative, or contradictory standards as may be set forth within an individual land use district, the following standards apply to all uses in all districts. Standards that are of a continuing nature must be adhered to at all times into the future, whether or not if attached as a condition of development permit or not.

### A. GENERAL USE PROVISIONS

Quality of Development – <a href="#">Section 1</a>	Hazardous Chemical Storage – <a href="#">Section 14</a>
Design, Character and Appearance – <a href="#">Section 2</a>	Outdoor Fuel Storage – <a href="#">Section 15</a>
Development on Non-Conforming Sized Lots – <a href="#">Section 3</a>	Easements – <a href="#">Section 16</a>
Street Corner Visibility – <a href="#">Section 4</a>	Construction Hoarding – <a href="#">Section 17</a>
Retaining Walls, Grading and Drainage – <a href="#">Section 5</a>	Site Lighting – <a href="#">Section 18</a>
Multiple Front Yard Provision – <a href="#">Section 6</a>	Commercial and Industrial Use Standards – <a href="#">Section 19</a>
Refuse Collection and Storage – <a href="#">Section 7</a>	Parking and Loading Area Requirements – <a href="#">Section 20</a>
Driveways – <a href="#">Section 8</a>	Architectural Controls – <a href="#">Section 21</a>
Fences – <a href="#">Section 9</a>	Site Plans – <a href="#">Section 22</a>
Building Setbacks – <a href="#">Section 10</a>	Hazard Lands – <a href="#">Section 23</a>
Landscaping Standards and Screening – <a href="#">Section 11</a>	Setbacks from Abandoned Wells – <a href="#">Section 24</a>
Accessory Use – Air Conditioners – <a href="#">Section 12</a>	
Servicing – <a href="#">Section 13</a>	

#### 1. QUALITY OF DEVELOPMENT

The Development Officer or the Municipal Planning Commission may impose conditions on development applications which serve to improve the quality of any proposed development within any land use district. Such special conditions may include, but are not limited to: landscaping, paved parking areas, exterior building finishes, setback variations, building mass, the control of noise, smoke, smell, and industrial wastes.

#### 2. DESIGN, CHARACTER AND APPEARANCE

- (1) The Municipal Planning Commission or Development Officer may require that specific exterior finishing materials and colour tones be utilized to maintain the compatibility of any proposed development with surrounding or adjacent developments.
- (2) The Municipal Planning Commission or Development Officer may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any proposed additions or ancillary structures with existing buildings on the same lot.

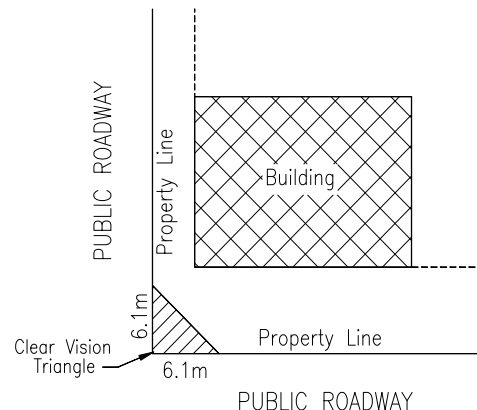
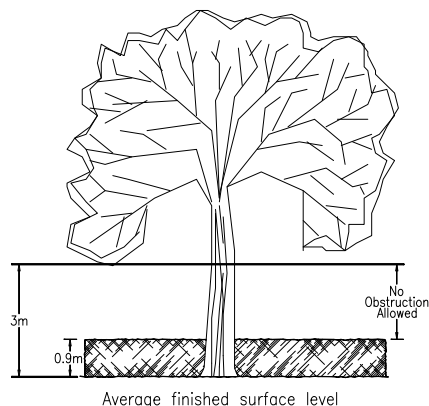
- (3) The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.
- (4) The Municipal Planning Commission or Development Officer may impose conditions on a development permit to ensure:
  - (a) that the design, character and appearance of a buildings, structures or signs is compatible with other buildings in the vicinity unless it is setting a higher standard of design, character and appearance for the land use district or a particular locality of it;
  - (b) that the design, character and appearance of the buildings, structures or sign is consistent with the purpose of the land use district in which the building is located;
  - (c) that a development complies with any provision of a statutory plan applicable to the design, character and appearance of the building in the district.

### 3. DEVELOPMENT ON NON-CONFORMING SIZED LOTS

- (1) With the approval of the Development Officer or the Municipal Planning Commission, or in the case of existing registered lots, development may be permitted on a lot which does not conform to the minimum requirements for length, width or area provided that the minimum area allowed is not less than 232.25 m<sup>2</sup> (2,500 sq. ft.) but any reduction shall be kept in accordance with the Subdivision and Development Regulation.
- (2) Development of existing lots which are contained in an existing Certificate of Title and do not meet the minimum size requirements or any other requirements of this Bylaw will be considered by the Development Authority on a case-by-case basis.

### 4. STREET CORNER VISIBILITY

- (1) On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections.
- (2) Such restrictions apply between 0.9 metre (3 ft.) and 3.0 metres (10 ft.) above the centre line grades of the intersecting streets in the area, bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 metres (20 ft.) from the point of intersection.

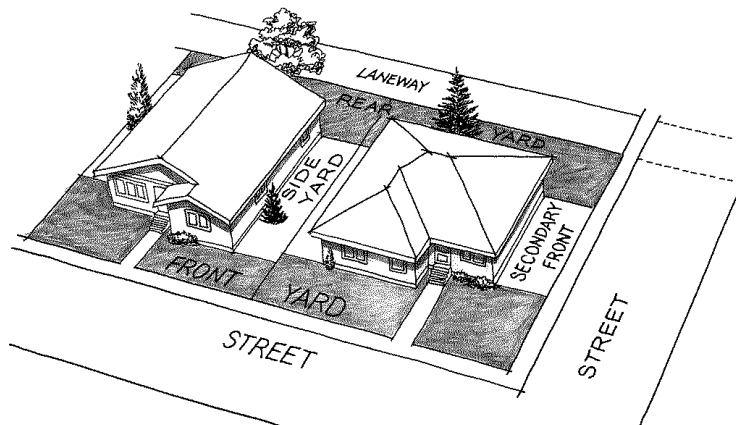


## 5. RETAINING WALLS, GRADING AND DRAINAGE

- (1) All drainage water shall be conveyed to the front street or rear lane and shall not negatively affect adjacent properties.
- (2) Municipal Planning Commission or Development Officer may require:
  - (a) the construction of a retaining wall, including submittal of a certified engineered design, as a condition of development is significant differences in grade exist or will exist between developed and adjacent parcels;
  - (b) special grading to prevent drainage problems with neighbouring lots as a condition of a development permit;
  - (c) the provision of engineered grading and drainage plans for the development.

## 6. MULTIPLE FRONT YARD PROVISION

- (1) Where any lot has more than one front yard line, the front yard setback requirement shall apply to all yards, but at the discretion of the Development Officer or the Municipal Planning Commission only one-half the front yard setback requirement may apply to one of the front yards and that yard shall be considered a secondary front yard.
- (2) Notwithstanding [Section 6\(1\)](#) above, in residential land use districts, the minimum setback between a garage whose overhead door faces the street and the property line adjacent to that street shall not be less than 4.9 metres (16 ft.) to allow for driveway stacking space for vehicles.



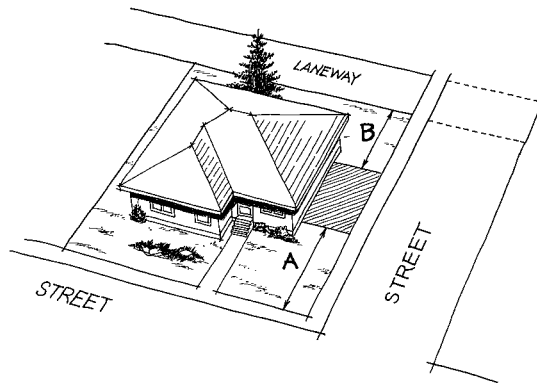
## 7. REFUSE COLLECTION AND STORAGE

- (1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.
- (2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.
- (3) Refuse and garbage holding areas, enclosure and compaction areas shall be located and design to ensure adequate on-site manoeuvring for refuse collection vehicles.

- (4) Refuse and garbage holding areas, enclosure and compaction areas shall be kept in a good state of condition and shall not produce odours or other nuisance activities that negatively affect adjacent properties.
- (5) In a residential land use district, no outdoor storage of garbage shall be permitted in any front yard, including any unscreened portion of either front yard on a corner lot except in an approved garbage enclosure.

## 8. DRIVEWAYS

- (1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.
- (2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.
- (3) When not already included, all single-detached and semi-detached dwellings should provide for the future construction of an attached garage or carport for one or more vehicles.
- (4) Only one front or side yard driveway per lot shall be permitted for single-detached residential development (including single-wide and double-wide manufactured homes). A separate driveway accessible from a rear lane is permitted on a lot.
- (5) Driveways shall be a minimum of 3.0 metres (10 ft.) and a maximum of 7.62 metres (25 ft.) in width, unless otherwise approved by the Municipal Planning Commission, on the basis of merit.



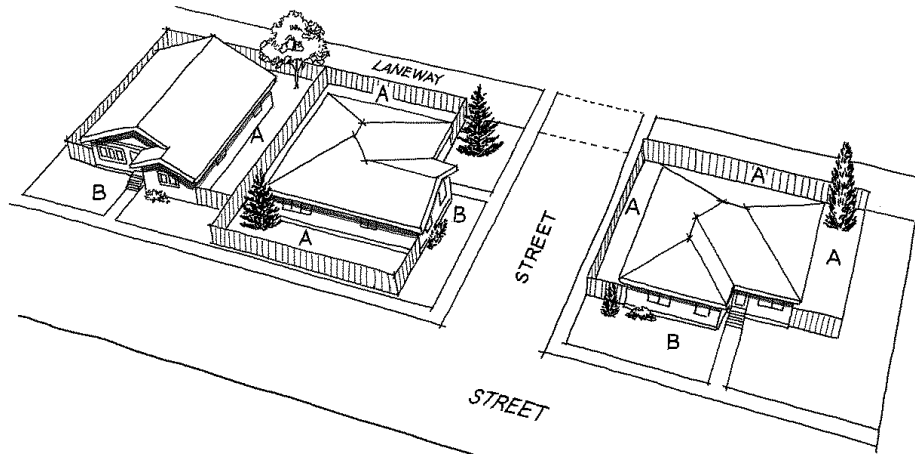
- (6) Driveways shall be a minimum of 4.6 metres (15 ft.) from the intersection of two public roadways (as illustrated as setback A on Diagram) and 3.0 metres (10 ft.) from the entrance to a lane (as illustrated as setback B on Diagram).

## 9. FENCES

- (1) No fence, wall, vegetation, or any combination thereof shall extend more than 0.9 metre (3 ft.) above the ground in any front yard area (labelled as area B on diagram), except in the case of corner lots where one yard is considered as the side yard as indicated in [Section 6](#) and in accordance with [Section 4](#) of this Part, without approval by the Municipal Planning Commission.



- (2) On parcels designated as residential land use districts fences in rear and side yards (labelled as area A on diagram) shall be limited to 1.8 metres (6 ft.) in height.



- (3) Fences in rear and side yards in commercial and industrial land use districts shall be limited to 2.4 metres (8 ft.) in height unless otherwise stipulated in the land use district.
- (4) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.
- (5) Fences are prohibited from encroaching into municipal property, including roads, lanes and rights-of-way, unless permission is granted from the municipality.

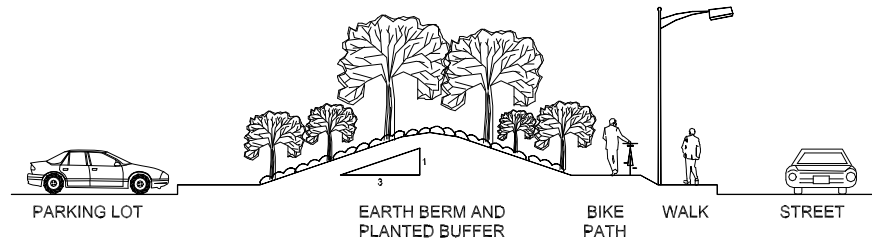
## 10. BUILDING SETBACKS

- (1) The Municipal Planning Commission may waive the building setback requirement in a well-established residential area if, in their opinion, the setback blends in with the prevailing yard pattern.
- (2) The Development Officer or the Municipal Planning Commission may require varied building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area. An average variation of up to 1.5 metres is considered as acceptable in consideration of the standards of this Bylaw.
- (3) The Municipal Planning Commission may require increased building setbacks other than those listed in [Sections 10\(1\) and \(2\)](#) above if, in their opinion, such setbacks would:
- (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.

## 11. LANDSCAPING STANDARDS AND SCREENING

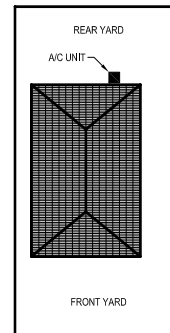
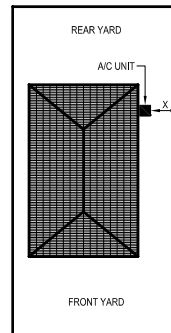
- (1) The Municipal Planning Commission or Development Officer may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development, or help ensure another standard or requirement of this Bylaw is met, such as providing required screening.

- (2) The minimum front yard setback area, or an equal percentage of the site area as required by the Municipal Planning Commission, and in the case of corner lots, the minor front yard setback area as well, shall be comprehensively landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission in accordance with the guidelines in this section, except for those areas occupied by sidewalks or driveways.
- (3) Separation, or buffering, between adjacent land uses may be required, including the use of trees, shrubs, fences, walls, and berms to buffer or screen uses of negative impact.
- (4) Where any commercial or industrial parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Municipal Planning Commission or Development Officer shall require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features.
- (5) In commercial and industrial land use districts, no outdoor storage shall be permitted in the required front yard setback of 7.6 metres (25 ft.), nor in the required corner lot secondary street side yard setback of 3.8 metres (12.5 ft.).
- (6) Outdoor storage is prohibited in the front yard. All loading, service, and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.
- (7) Other outdoor storage areas shall be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof, and shall be maintained in good condition unless exempted by the Municipal Planning Commission.
- (8) Landscaping may consist of any or all of the following:
  - (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chips, crushed rock, field stone or other similar features;
  - (c) berming, terracing;
  - (d) innovative landscaping features, xeriscaping;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- (9) Parking lots shall be landscaped and/or screened as required by the Development Authority where deemed appropriate, to help buffer or screen the use to adjacent land uses, for limiting the percentage of hard surface in relation to surface drainage management or for aesthetic purposes, at the discretion of the Development Authority.
- (10) The Municipal Planning Commission or Development Officer may require a reasonable security deposit in relation to landscaping or screening requirements if it is imposed as a condition of a development permit approval or development agreement to ensure the terms of the agreement are carried out to the satisfaction of the municipality.



## 12. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be located less than 1.0 metre (3.3 ft.) from side and rear lot lines.



(far left.) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).

(near left.) Preferred location in rear.

## 13. SERVICING

- (1) All development proposed for parcels, lots and unserviced areas shall be required to connect to both the municipal water supply and sewerage system.
- (2) Notwithstanding [Section 13\(1\)](#), where no municipal servicing is reasonably available, development may be approved at the discretion of the municipality and shall be subject to compliance with Alberta Health Services and Alberta "Private Sewage Systems Standard of Practice 2009" or its successor for unserviced parcels. Prior to development approval, the applicant shall be required to submit a professional soils analysis/test and report to demonstrate the suitability of the site for on-site septic, to the satisfaction of the Development Authority.
- (3) All multi-unit residential developments must provide separate utility services and meters to each unit. Multi-unit commercial or industrial developments may be required to provide separate utility services and meters if the units or condominiumized or planned for future subdivision.
- (4) Developments are not permitted to connect weeping tile and sump pumps to the town's sanitary sewer.
- (5) Developments are required to provide a municipally approved backflow preventing valve or device at the water connection, unless otherwise exempted by the municipality.
- (6) All Automotive, Service Station and Washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.

#### **14. HAZARDOUS CHEMICAL STORAGE**

- (1) The storage of hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Town.
- (2) The municipality is exempt from [Section 14\(1\)](#) above if the hazardous chemicals are required for public works, services or utilities carried out by or on behalf of the municipality or other public authorities and are stored on land which is publicly owned or controlled.

#### **15. OUTDOOR FUEL STORAGE**

The permanent outdoor storage of fuel in any residential land use district shall be suitably fenced to the satisfaction of the Development Officer or the Municipal Planning Commission.

#### **16. EASEMENTS**

All buildings or structures shall not be located over top of an easement or right-of-way unless otherwise permitted by the holder of the easement right.

#### **17. CONSTRUCTION HOARDING**

A temporary development permit is required for erection of construction hoarding which may infringe on any public property such as sidewalks or streets. The maintenance of pedestrian and vehicular access shall be deemed to be essential.

#### **18. SITE LIGHTING**

Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect adjacent properties or interfere with traffic safety.

#### **19. COMMERCIAL AND INDUSTRIAL USE STANDARDS**

The Municipal Planning Commission or Development Officer may set conditions to improve the compatibility with nearby land uses of any industrial or commercial use or development including, but not limited to:

- (a) measures to control noise, smoke, dust, ash, smell, glare, heat and/or industrial waste;
- (b) design, exterior building finish, siting, setbacks, paving of parking areas, and other details, as appropriate;
- (c) screen parking and traffic circulation areas abutting side or rear lot boundaries with a fence, wall or hedge to the satisfaction of the Municipal Planning Commission;
- (d) provide landscaping of a type and amount satisfactory to the Municipal Planning Commission or Development Officer.

## 20. PARKING AND LOADING AREA REQUIREMENTS

Specific land use districts may contain parking and loading area requirements in addition to this section, or may have different standards. If there is a perceived conflict with any standard or requirements, the standards and regulation as listed in the applicable land use district shall take precedence.

### Off-Street Parking Area Requirements

- (1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.
- (2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- (3) The Development Authority may require that parking areas or portions thereof be paved or other approved hard surfaced.
- (4) Off-street parking may be located in the front yard, as well as the side and rear yard if access is available.
- (5) In lieu of providing off-street parking for non-residential uses, an owner of land to be developed may, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development. To be eligible for the payment-in-lieu provision, the Development Authority may require a minimum of 50 percent of the total parking requirement for the development be provided in accordance with [Part 4, Section 20\(10\)](#).
- (6) Off-street parking spaces in non-residential land use districts adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.
- (7) All parking spaces provided shall be on the same lot as the building or use, except that the Development Officer or Municipal Planning Commission may permit parking spaces to be on a lot within 152.4 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by Council shall be registered against the lot protecting it for such use.
- (8) A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority. A shared parking provision based upon the proposed sharing of parking spaces between two or more uses must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.
- (9) Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in [Section 20\(10\)](#), Specific Requirements.

### Specific Requirements

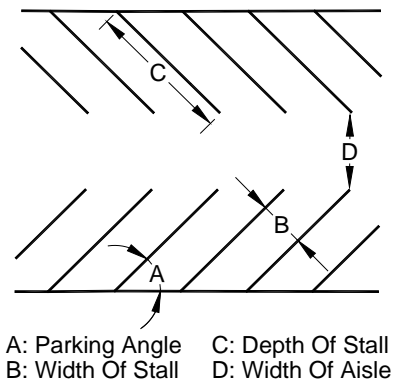
(10) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
<b>Dwellings:</b>	
Single-detached (all types)	2 per dwelling unit
Duplex/semi-detached dwelling	2 per each dwelling unit
Multi-unit dwellings	2 per each dwelling unit
Secondary Suite	1 per secondary suite (less than 3 bedrooms) 2 per secondary suite (3 bedrooms) (In addition to the principal dwelling)
Home Occupations B (with a business vehicle)	1 per approved use (in addition to the principal dwelling requirement)
Day care facility	1 pick-up/drop-off space per 10 children plus 1 space per employee
Group home facility	1 space per every 3 dwelling units plus 1 space per working employee
Licensed premises	1 per 2 seating spaces
Retail stores and personal service	1 per 55.74 m <sup>2</sup> (600 sq. ft.) of gross floor area
Banks and offices	1 per 65.03 m <sup>2</sup> (700 sq. ft.) of gross floor area
Health or dental service	1 space per staff member and 1 space per examination room
Service stations	1 per employee and 2 per service bay
Motels, hotels, bed and breakfasts	1 per guest room (for bed and breakfasts it is in addition to the residential requirements)
Restaurants and cafes	1 per 4 seating spaces
Religious or public assembly	1 per 6 seating spaces or 1 per 9.29 m <sup>2</sup> (100 sq. ft.) of gross floor area, whichever is greater
Senior citizen housing or facility	1 space per 2.5 dwelling units plus 1 space per working employee
Community hall or cultural facility	1 space per 6 seating spaces or 1 per 9.29 m <sup>2</sup> (100 sq. ft.) of gross floor area, whichever is greater plus 1 space per working employee
Industrial and heavy commercial uses	1 per 65.03 m <sup>2</sup> (700 sq. ft.) of gross floor area; or 1 per 3 employees whichever is greater with a minimum of 2 spaces per use.
Recreational uses or facilities	As required by the Development Authority
All others	As required by the Development Authority

**Note:** Calculation of parking requirements resulting in a fractional number shall be rounded to the next highest number.

<b>Table 1 – Minimum Parking Space Dimensions - Non-residential</b>						
<b>A: Parking Angle</b>	<b>B: Stall Width</b>		<b>C: Stall Depth</b>		<b>D: Aisle Width</b>	
Degrees	Metres	Feet	Metres	Feet	Metres	Feet
0	2.44	8.0	6.71	22	3.66	12
30	2.74	9.0	5.49	18	3.35	11
45	2.59	8.5	6.10	20	3.96	13
60	2.59	8.5	6.40	21	5.49	18
90	2.90	9.5	5.64	18.5	7.32	24

**Minimum Parking Space Dimensions - Non-residential**



### **Barrier-Free Parking**

- (11) The minimum number of barrier-free parking spaces to be provided for non-residential uses, excluding higher density, shall be a portion of the total number of off-street parking spaces required, in accordance with Table 2, Barrier-Free Parking Spaces.
- (12) Each barrier-free parking space for the disabled shall be:
  - (a) at least 3.66 metres (12 ft.) wide;
  - (b) have a firm, slip-resistant and level surface;
  - (c) be clearly marked as being for the use of persons with disabilities only.
- (13) Where there are two or more adjacent barrier-free parking stalls, a 1.52 metres (5 ft.) wide access aisle shall be provided between the stalls.
- (14) Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.
- (15) There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.



- (16) The Development Authority may require an additional number of spaces be provided when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking, such as, but not limited to, medical or health services, pharmacies and restaurants.

Table 2 – Barrier-Free Parking Spaces	
Number of parking spaces required for a use	Number of barrier-free spaces required for use by persons with disabilities
0-10	0*
11-25	1
26-50	2
51-100	3
for each additional increment of 100 or part thereof	one additional stall

\* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

#### **Loading Area Requirements**

- (17) There shall be a minimum of one off-street loading area per building in the C1, C2 and I land use districts, except as provided for in [Section \(21\)](#) below of this Part.
- (18) All loading areas shall provide a doorway into a building sufficient to meet the needs of the use within the building.
- (19) The minimum dimensions for a loading space shall be 3.05 metres (10 ft.) by 9.14 metres (30 ft.) with an overhead clearance of 3.96 metres (13 ft.). The Development Authority may require a larger loading space to be sufficient to meet the needs of the use within the building if it is deemed necessary.
- (20) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow, or parking.
- (21) The Development Authority may consider a joint loading area for two or more uses if, in their opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.
- (22) The Development Authority may require additional loading areas or doors if, in his or their opinion, such additional areas or doors are deemed necessary.

#### **Stacking Spaces for Drive-through Uses**

- (23) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces on-site:
- (a) Restaurant use: 30.5 m (100 ft.) from order box to pick-up window  
For order boxes associated with (i), the order box must be located a minimum of 9.1 m (30 ft.) from the boundary of a road right-of-way.

- (b) Gas station: 9.1 m (30 ft.) from each end on pump island
- (c) Bank machine: 22.9 m (75 ft.) from bank machine window
- (d) Car wash: 15.2 m (50 ft.) from car wash entrance
- (e) Other: As determined by the Development Authority

(24) The minimum stacking space requirements in [Section \(23\)](#) may be varied by the Development Authority depending upon the intensity of the proposed development.

## **21. ARCHITECTURAL CONTROLS**

All development must comply with any approved architectural controls if required as part of an area structure plan or subdivision approval. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application.

## **22. SITE PLANS**

The Development authority may require a professionally prepared detailed comprehensive site plan as part of the development permit application to illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, drainage and utility easements.

## **23. HAZARD LANDS**

- (1) The Subdivision Authority may refuse to approve an application for subdivision or the Development Authority may refuse to approve an application for a development if the proposed development is located in potential hazard land areas (e.g. floodplains, steep or unstable slopes, permanent wetlands) or on other areas where hazard lands are identified, such as coal mining areas, gas wells, abandoned wells, former landfills, or former industrial lands, unless the relevant Approval authority is satisfied the subdivision development can proceed safely.
- (2) Prior to making a decision on a subdivision or development application, the Subdivision or Development Authority may:
  - (a) request that a professionally prepared geotechnical analysis, be submitted at the applicant's expense;
  - (b) circulate the application proposal and corresponding geotechnical report to any relevant government departments for comment; and,
  - (c) depending on the nature of the hazard, request that an Environmental Impact Assessment (EIA) as prepared by a certified engineer be submitted at the applicant's expense.

## **24. SETBACKS FROM ABANDONED WELLS**

The Subdivision and Development Regulation (Alberta Regulation 160/2012) requires municipalities to ensure that applicants include abandoned well information from the ERCB in applications for both subdivisions and development permits. The Town of Picture Butte shall meet the legislative requirements of Alberta Regulation 160/2012 regarding subdivision and development by applying the following policies:

- (1) It is the responsibility of the applicant of the proposed subdivision and/or development to take measures to identify any abandoned wells within that property and to apply the required setback.
- (2) The Subdivision or Development Authority shall not deem a subdivision or development permit application complete until the applicant has provided the required abandoned well information from the ERCB.
- (3) The applicant shall be required to provide the following information:
  - (a) the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
  - (b) if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 metre radius around the well) in relation to existing or proposed building sites.
- (4) If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.
- (5) Notwithstanding a use may be a permitted use or discretionary use, surface structures on top of an abandoned well are not permitted and a minimum 5 metre setback radius around the well shall be maintained.

## B. SPECIFIC USE PROVISIONS

Alternative Energy Sources – <a href="#">Section 25</a>	Portable Garages and Covered Storage Structures – <a href="#">Section 35</a>
Bed and Breakfasts – <a href="#">Section 26</a>	Private Swimming Pools – <a href="#">Section 36</a>
Car and Truck Wash Facilities – <a href="#">Section 27</a>	Satellite Dish Antennas – <a href="#">Section 37</a>
Day Care (Child and Adult Care Facilities) – <a href="#">Section 28</a>	Secondary Suites – <a href="#">Section 38</a>
Day Home – <a href="#">See Section 29</a>	Service Stations and Gas Bars – <a href="#">Section 39</a>
Group Care or Group Home Facility – <a href="#">Section 30</a>	Shipping Containers – <a href="#">Section 40</a>
Home Occupations – <a href="#">Section 31</a>	Solar Collectors – <a href="#">Section 41</a>
Manufactured Dwellings – <a href="#">Section 32</a>	Small Wind Energy Systems – <a href="#">Section 42</a>
Ready-to-Move Dwellings (New) – <a href="#">Section 33</a>	Telecommunication Antenna Siting Protocol – <a href="#">Section 43</a>
Moved-In Dwellings and Buildings – <a href="#">Section 34</a>	

### 25. ALTERNATIVE ENERGY SOURCES

The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar collectors, heat exchange systems, geothermal, generators,

turbines, etc. provided that any additional approvals or standards required at the municipal, provincial and/or federal levels are met or exceeded.

## **26. BED AND BREAKFASTS**

- (1) **Bed and breakfast** means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.
- (2) Bed and Breakfast accommodation shall be an incidental and subordinate use to the principal use and restricted to the dwelling unit, and:
  - (a) advertising may only be permitted in compliance with [Section 31\(12\)](#) of this Part, the same as a Home Occupation 1 use;
  - (b) alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building;
  - (c) an approved development permit will remain in effect, provided the intensity of use does not increase and all requirements of the development permit have been satisfied;
  - (d) a development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;
  - (e) employees working in the business shall be limited to the residents of the dwelling unit;
  - (f) the accommodation shall be limited to a maximum of two guest rooms and a maximum of four guests in addition to the permanent residents;
  - (g) a development permit is based solely on the location of use. If a permit holder relocates within the municipality, the person must apply for a development permit to continue the use from the new location;
  - (h) accommodation for each group of guests shall be for a maximum of 14 consecutive days;
  - (i) guest rooms shall not be permitted to contain cooking or kitchen facilities;
  - (j) meals may be provided to registered guests only and meals for guests shall be prepared in the common kitchen of the principal residence;
  - (k) one off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling;
  - (l) the applicant shall be responsible for compliance with the Alberta Health “Bed and Breakfast” Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations;
  - (m) the issuance of a development permit in no way exempts the applicant from obtaining any other Provincial approvals that may be required.

## **27. CAR AND TRUCK WASH FACILITIES**

- (1) All washing facilities shall occur within an enclosed building with at least two bay doors.

- (2) Vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than 15.24 metres (50 ft.) from the boundary of any residential land use district.
- (3) The building shall be located a minimum of 30.48 metres (100 ft.) from the boundary of any residential land use district.
- (4) All off-street parking areas shall be hard-surfaced and dust-free.
- (5) Any lights used to illuminate the area shall be directed away from adjacent residential properties.
- (6) A permanent screening fence or wall not less than 1.83 metres (6 ft.) in height shall be constructed along any site property line which abuts a residential land use district.
- (7) For parking and stacking requirements, refer to [Part 4, A. General Use Provisions](#).
- (8) A development permit approval for a car or truck wash may be denied, if in the opinion of the Development Authority, there is not sufficient water or sewer service or capacity for the development.
- (9) All washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.
- (10) No consideration shall be given to allowing truck or trailer wash-out (clean-out) use as a part of an approved car or truck wash facility, or on its own, as part of any approval.

## **28. DAY CARE (BOTH CHILD AND ADULT CARE FACILITIES)**

All day care (child or adult) facilities may be approved subject to the following conditions and requirements:

- (1) If determined necessary by the Municipal Planning Commission, the applicant for a day care (child or adult) facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Signage for day/child or adult care facilities must comply with the following:
  - (a) a maximum of one sign;
  - (b) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size; and
  - (c) sign must be located in the buildings window in a residential land use district.
- (d) In a residential land use district a request for more than one sign or a sign greater than 0.74 m<sup>2</sup> (8 sq. ft.) requires a separate development permit application. In a commercial or industrial land use district, one exterior building sign may be permitted in addition to a window sign.
- (4) Site lighting must be designed not to “flood or spill” into adjacent property.

- (5) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
- (6) The use shall not generate traffic problems within the district.
- (7) The use requires a minimum of one on-site pick-up and drop-off space for every 15 children/clients and the location of passenger loading zones for day care facilities may be specified by a condition of a development permit.
- (8) On-site parking for employees is as required at the discretion of the Municipal Planning Commission.
- (9) On-site parking should be separated from pedestrian traffic and outdoor areas for children.
- (10) A day (child) care facility/site catering to children must have screening for any outdoor play areas to the satisfaction of the Municipal Planning Commission.
- (11) All applications for day care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies. All child care facilities must be licensed and operate in accordance with the provincial *Child Care Licensing Act*.
- (12) It is highly encouraged that day (child) care facilities have some sort of secure, outdoor or active play area space available for children on the parcel, which may be stipulated as conditions on a development permit approval.
- (13) In considering the suitability of a building or site for a discretionary child care use, the Municipal Planning Commission may consider the appropriateness of location for child care with regard for the proximity to required services, parks, neighbourhood characteristics, traffic issues or congestion in the neighbourhood, and if the size is adequate to meet program requirements, including outdoor space, parking, and the drop-off zone.

## **29. DAY HOME**

- (1) The operation of a day home does require a development permit.
- (2) A day home shall have no more than six clients a day.
- (3) A day home shall not be located within a dwelling containing another Home Occupation.
- (4) Signage for day home facilities must comply with the following:
  - (a) a maximum of one sign;
  - (b) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size; and
  - (c) sign must be located in the buildings window.
- (5) Notwithstanding that a development permit may not be required; all day homes must comply with provincial requirements and regulations.

## **30. GROUP CARE OR GROUP HOME FACILITY**

- (1) The applicant is required as part of the development permit application, to provide information on the following:

- (a) the type of client served,
  - (b) the number of clients accommodated,
  - (c) the number of staff employed, and
  - (d) the submission of a plan that describes how communication with neighbours will be carried out and how neighbourhood compatibility problems are to be resolved.
- (2) All group home facilities that may be approved are subject to the following conditions and requirements:
- (a) If determined necessary by the Development Authority, the applicant for a **group home** facility shall be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
  - (b) The total occupancy by clients and staff shall be specified for each development by condition of a development permit. The total number of clients shall not exceed more than two per bedroom in a residential District.
  - (c) The Development Authority may establish the maximum number of residents allowed in a group care or group home facility on a case specific basis with attention given to the District in which the use is located and the type of facility seeking approval.
  - (d) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
  - (e) If the group care or home facility is operating within a dwelling, the dwelling must be located on a street with a rear lane, and is not permitted to be located within cul-de-sacs or lane-less streets.
  - (f) The use of accessory buildings, structures or uses not associated with the principal residential dwelling are not permitted on the property.
  - (g) Site lighting must be designed not to “flood or spill” into adjacent property.
  - (h) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
  - (i) The use shall not generate traffic problems within the district.
  - (j) On-site parking is required in accordance with [Part 4, Section 20\(10\)](#).
  - (k) Signage for group home facilities must comply with the following:
    - (i) a maximum of one sign,
    - (ii) sign must be no greater than 0.74 m<sup>2</sup> (8 sq. ft.) in size, and
    - (iii) sign must be located in the buildings window.
  - (l) All applications for group home facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies and the group home shall comply with provincial standards.



### 31. HOME OCCUPATIONS

#### Intent

The intent of this section is to provide regulations respecting home occupation in accordance with the following objectives:

- (a) to protect residential areas and districts from incompatible non-residential land uses;
- (b) to ensure that commercial and industrial uses are located in appropriate commercial or industrial districts;
- (c) to facilitate, where appropriate, the establishment of suitable home occupations as a means to foster small-scale business, while ensuring such businesses are relocated to suitable commercial or industrial districts when they become incompatible with a residential area or become unsuitable as a home occupation.

#### Home occupations may be approved under the following classifications:

**Home Occupation A** – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:

- (a) outdoor storage and/or display of goods;
- (b) non-resident employees; and/or
- (c) customer/client visits to the residence.

**Home Occupation B** – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation A and which may involve:

- (a) the use of an accessory building;
- (b) outdoor storage and/or display of goods within the residence or accessory building;
- (c) one non-resident employee; and/or
- (d) customer visits.

#### General Standards

The following standards apply to Home Occupations A and B:

- (1) The business operator must be a full-time resident of the home.
- (2) No variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted.
- (3) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (4) No commercial vehicles of an overall length that exceeds 6.7 metres (22 ft.) or tandem trucks shall be parked or maintained on a public road right-of-way or lane.
- (5) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

- (6) No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceed the normal demand for residences in the area.
- (7) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (8) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (9) Home occupations shall not include:
  - (a) activities that use or store hazardous materials;
  - (b) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (c) any use declared by resolution of Council to be undesirable as a home occupation.
- (10) Only one home occupation shall be permitted per dwelling or as otherwise approved by the Development Authority.
- (11) All permits issued for home occupations shall obtain a yearly business license from the town. The development permit is only valid as long as an issued and valid municipal business license has been approved.

**(12) Home Occupation Signage**

Signage advertising a Home Occupation A shall:

- (a) be limited to one sign located in the buildings window of an approved home occupation use, up to a maximum of not more than 50 percent coverage of the surface area of the window or 0.74 m<sup>2</sup> (8 sq. ft.) in size, whichever is the lesser.

Signage advertising a Home Occupation B shall:

- (b) be limited to one of the following signs: a fascia sign, wall sign, shingle type projecting sign or window sign, on the premises of an approved home occupation use;
- (c) not exceed 0.4 m<sup>2</sup> (4 sq. ft.) in area; or
- (d) not cover more than 50 percent of the surface area of the window or 0.74 m<sup>2</sup> (8 sq. ft.) in size, whichever is the lesser; and
- (e) shall be as approved by the Municipal Planning Commission.

- (13) The development permit for the use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

**Home Occupation B Standards**

In addition to the general standards, the following standards shall apply to Home Occupation B permits:

- (14) A maximum of one non-resident employee is allowed. For the purposes of this provision, a non-resident employee is someone who does not live at the home.
- (15) Outdoor storage shall be screened from adjacent properties and the public view.
- (16) Customer and employee parking, in addition to the parking requirements for residential use, may be required.
- (17) The number of customer visits and hours of operation may be limited by the Development Authority to minimize impacts on surrounding residential uses.
- (18) The home occupation shall not be permitted if, in the opinion of the Development Authority, the use would be more appropriately located within a commercial or industrial district.

### 32. MANUFACTURED DWELLINGS

*Single-detached dwelling **Manufactured home 1** means a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. Single-detached manufactured homes include the following: manufactured, modular, and prefabricated. A new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include ready-to-move, manufactured home 2 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers. See [Part 6](#) for all Definitions.*



#### ELIGIBLE – Manufactured Home 1:

- New factory-built units within the past year of application for a permit and not previously occupied. In appearance, a Manufactured Home 1 shall generally resemble conventional site-built (stick-built) constructed homes.
- Must be current Canadian Standards Association (CSA) certified units and built to the Alberta Building Code.
- This category includes the terms or types of manufactured, modular, and prefabricated homes that conform to the bylaw standards.

#### Manufactured Home 1 Standards

- (1) The development permit conditions for single-detached dwelling Manufactured Home 1 shall generally correspond with typical conditions for a single-detached dwelling, site built.
- (2) The minimum roof pitch shall not be less than a 4/12 pitch.
- (3) The minimum floor area of the principal dwelling shall be as stipulated by the applicable land use district.
- (4) The dwelling shall be a minimum 7.32 metres ( 24 ft.) in width.

- (5) Every entrance/exit into a manufactured home must be furnished with a landing and/or set of stairs.
- (6) A set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany any development permit application.
- (7) Manufactured dwellings shall be placed on a conventional, permanent concrete foundation (either a basement foundation or slab-on-grade), unless otherwise approved by the Development Authority (timber supports or concrete block are not acceptable).
- (8) The design, character and appearance of the home shall be consistent with the intent of the land use district.
- (9) The Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district.
- (10) As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in the opinion of the Development Authority, they would serve to improve the quality or compatibility of any proposed development.
- (11) The Development Authority may require a bond or irrevocable letter of credit of a minimum of \$3,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.
- (12) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
- (13) The building, when completed, shall meet provincial building requirements.
- (14) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

*Single-detached dwelling* **Manufactured home 2** means a manufactured home that has been either previously occupied, is new or does not meet the definition or standards of Manufactured home 1. These are commonly or have previously been referred to as “Mobile homes” and may consist of “Double-wide”, which means a manufactured home consisting of two sections, moved separately, that are joined together into one integrated dwelling unit on site, or “Single-wide” which means a manufactured home designed to stand alone as a single dwelling unit.



*This definition does not include ready-to-move, manufactured home 1 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers. See [Part 6](#) for all Definitions.*

#### **ELIGIBLE – Manufactured Home 2:**

- New and used factory-built units, not older than 10 years, in a state of good condition as determined by the Development Authority (note: previously referred to as mobile homes).
- Current Canadian Standards Association (CSA) certified units.
- A manufactured home 2 shall be in a state of good condition or repair as may be determined by the Development Officer or the Municipal Planning Commission.
- Any application for a development permit to locate a used manufactured home shall include recent colour photographs of all elevations (i.e. front, side and rear views) including additions.

#### **Manufactured Home 2 Standards**

- (15) Every entrance/exit into a manufactured home 2 must be furnished with a landing and/or set of stairs.
- (16) The minimum floor area of the principal dwelling shall be as stipulated by the applicable land use district.
- (17) Every entrance/exit into a manufactured home 2 must be furnished with a landing and/or set of stair.
- (18) Foundations may include continuous concrete, timber supports, or concrete block.
- (19) Colour photographs or plan elevations illustrating the exterior of the dwelling and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany any development permit for a manufactured home 2 dwelling.
- (20) The design, character and appearance of the home shall be consistent with the intent of the land use district.
- (21) The Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district.
- (22) As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in

the opinion of the Development Authority, they would serve to improve the quality or compatibility of any proposed development.

- (23) The Development Authority may require a bond or irrevocable letter of credit of a minimum of \$5,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.
- (24) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
- (25) The building, when completed, shall meet or exceed provincial building requirements.
- (26) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

#### **Manufactured Home 2 Additions**

- (27) Any addition to a manufactured home 2 shall be of a design and finish which will complement the mobile home unit.
- (28) Additions shall be located to the rear or side of the manufactured home 2 unit only.
- (29) Additions shall not exceed 20 percent of manufactured home 2 units.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

### **33. READY-TO-MOVE DWELLINGS (NEW)**

***Ready-to-move** dwelling means a dwelling that is a conventional stick framed home previously unoccupied that is constructed at a location other than on the lot intended for occupancy, and then is later moved to the site. Refer to [Part 6](#), Definitions.*



#### **ELIGIBLE – Eligible Ready-to-move Dwellings:**

- New stick framed (conventional) dwelling units built off-site within the past year of application for a permit and/or not previously occupied.
- Dwelling must be built to the Alberta Building Code.

#### **Standards**

- (1) Conditions for a single-detached ready-to-move dwelling shall generally correspond with typical conditions for a single-detached dwelling, site built.
- (2) The standards and conditions as outlined for Manufactured Home 1 shall also apply to ready-to-move dwellings.

### 34. MOVED-IN DWELLINGS AND BUILDINGS

**MOVED-IN BUILDING** means a previously used or existing building, which is removed from a site, and then transported and re-established on another site.

**MOVED-IN DWELLING** means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this Bylaw this does not include modular dwellings, manufactured homes, prefabricated dwellings, ready-to-move dwellings or park model recreational units, park model trailers or travel trailers. Refer to [Part 6, Definitions](#).

The intent of this section is to ensure that moved-in buildings, through the adherence to building conditions and regulations, do not create a land use conflict and are in an acceptable state condition.

#### Standards

All moved-in dwellings or buildings shall comply with the following:

- (1) Every application to relocate a building shall be accompanied by:
  - (a) details of the purpose for which it is to be used;
  - (b) details of the building's size, age and structural condition;
  - (c) a minimum of four recent colour photographs showing all sides of the building;
  - (d) a plan of the proposed site showing the future location of the building.
- (2) A report from a qualified building inspector or engineer that the building meets, or can be readily renovated to meet or exceed Alberta Uniform Building Standards regarding each application shall be filed before any such application will be considered.
- (3) The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in this Land Use Bylaw.
- (4) The building, when completed, shall meet all requirements of the *Alberta Uniform Building Standards Act*.
- (5) The value of the completed building shall be comparable to, or better than the average value of the other buildings in the immediate area and on upgrading standards to which the building shall comply shall be established by the Municipal Planning Commission at the time of approval of the application and form a part of the conditions of the development permit.
- (6) For a moved-in dwelling, the following standards or conditions shall also apply:
  - (a) the Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district;
  - (b) a moved-in dwelling shall be placed on a conventional, permanent concrete foundation (either a basement foundation or slab-on-grade), unless otherwise approved by the Development Authority (timber supports or concrete block are not acceptable);
  - (c) any portion of a concrete block foundation above grade shall be parged unless otherwise finished with another approved material;



- (d) the maximum height of the exposed portion of a concrete block foundation shall be not more than 0.91 metres (3 ft.) above the average finished grade level of the surrounding ground;
  - (e) the design, character and appearance of the home shall be consistent with the intent of the land use district.
- (7) For moved-in buildings, the Municipal Planning Commission may impose conditions regulating the exterior finish and roofline to ensure compatibility to other uses within the land use district.
  - (8) The building shall comply with all provincial health and fire regulations and with all applicable municipal bylaws.
  - (9) The Municipal Planning Commission may request that security (e.g. bond, cash, an irrevocable letter of credit) at a minimum of \$5,000.00 or up to 50 percent of the estimated value of the structure be posted and may set the amount of the bond and the conditions of its return before issuing a development permit.
  - (10) A final inspection by the building inspector and/or Development Officer shall be made to establish full compliance with all requirements.
  - (11) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.
  - (12) If applicable and requested, a copy of the occupancy permit shall be submitted to the Town office prior to occupancy.
  - (13) Any cost incurred for building inspections prior to the issuance of a development permit shall be at the expense of the applicant.
  - (14) A limit for the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the approval of the application.

*Notes:* The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

### **35. PORTABLE GARAGES AND COVERED STORAGE STRUCTURES**

- (1) All portable garages (fabric buildings) and storage structures shall require a development permit.
- (2) Portable garages (fabric buildings) and storage structures are to be considered as permanent accessory buildings or structures and must meet the required setbacks, maximum height, maximum site coverage and other applicable standards of the bylaw. Development permit applications involving fabric buildings shall be considered with regard to the following:
  - (a) Permit applications will be processed in accordance with the use proposed, which must meet or be similar to the applicable land use district permitted or discretionary uses listed.



- (b) Portable garages (fabric buildings) and storage structures are considered as accessory buildings or structures and are not to be located:
  - (i) in the front or side yard in any residential land use district, and
  - (ii) shall not be located in the front yard within all other districts.
- (c) A portable garage (fabric building) and storage structure shall not be located within the required setback from a public road or on an easement.
- (d) A portable garage (fabric building) and storage structure shall be setback a minimum 1.22 metres (4 ft.) from the principal dwelling and from all other structures on the same lot.
- (e) All buildings or structures must be securely tethered and anchored to the ground in accordance with provincial Safety Code requirements. Additionally, all fabric covers must be securely tethered to the structures' frame.
- (f) As a condition of a development permit approval, the Development Authority may stipulate specific requirements for the type of fastening or tie-down system and fabric material colour to be applied to the accessory building or structure.
- (g) The Development Authority may limit the permit duration of any of these garages or structures. In such a case, these structures would then be categorized as temporary.

### 36. PRIVATE SWIMMING POOLS

- (1) Private swimming pools shall be classified as an accessory structure.
- (2) Any private swimming pool with a design depth greater than 0.6 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.
- (3) Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but must meet minimum setbacks for accessory structures.
- (4) Construction of an in-ground swimming pool and swimming pools that are attached to or enclosed by a deck require a development permit and are subject to the following additional standards:
  - (a) placement of a swimming pool shall be limited to the side and rear yard only;
  - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
  - (c) permanent swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.



### 37. SATELLITE OR COMMUNICATION ANTENNAS/DISH OF GREATER THAN 0.9 METRE (3 FT.) IN DIAMETER

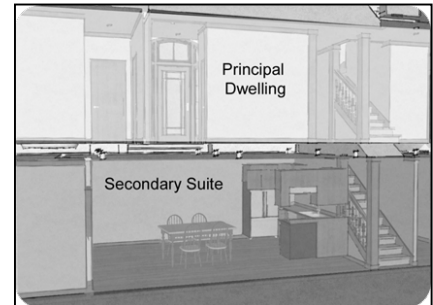
- (1) A satellite dish or communication antenna shall only be located in a rear yard or a side yard which does not abut on a street.
- (2) On an interior lot, a satellite dish antenna shall be situated so that no part of it is closer than 0.9 metre (3 ft.) from the side boundaries of the parcel not abutting a street.
- (3) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building or closer than 0.9 metre (3 ft.) from any boundary of the parcel.
- (4) Where any part of a satellite dish antenna is more than 3.0 metres (10 ft.) above grade level, or when it is located other than described in [Section 37\(1\)](#) above, it shall be both screened and located to the satisfaction of the Municipal Planning Commission or Development Officer.
- (5) No advertising shall be allowed on a satellite dish antenna.
- (6) The illumination of a satellite dish antenna is prohibited.



### 38. SECONDARY SUITES

**Secondary suite** means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

- (1) Only one secondary suite may be developed in conjunction with a principal single-detached dwelling.
- (2) A secondary suite shall be located in a principal dwelling unit or above a detached garage in accordance with the standards.
- (3) Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.
- (4) A secondary suite in a principal dwelling shall only be allowed in the R-1 land use district and shall be regulated in accordance with the standards specified in the applicable district. (Refer to R-1 land use district).



### 39. SERVICE STATIONS AND GAS BARS

The following regulations apply:

#### Site Area (Minimum)

- (1) Site Area (Minimum):
  - (a) Gas Bar: 1,200 m<sup>2</sup> (12,917 sq. ft.)

- (b) Service Station: 1,500 m<sup>2</sup> (16,146 sq. ft.)
- (c) Gas Bar or Service Station including Car Wash: 2,700 m<sup>2</sup> (29,063 sq. ft.)
- (d) Where a service station or gas bar forms part of a shopping centre, the area containing the service station or gas bar buildings and pump areas: 1,000 m<sup>2</sup> (10,764 sq. ft.)
- (e) Where a service station or gas bar is combined with a convenience store: 1,200 m<sup>2</sup> (12,917 sq. ft.)
- (f) Bulk Fuel Station: 2,700 m<sup>2</sup> (29,063 sq. ft.)

### **Setback of Buildings and Structures**

- (2) The Provincial Plumbing and Gas Safety Services Branch shall approve the proposed location(s) and design of all fuel storage tanks prior to application for a development permit.
- (3) The location and installation of the fuel tanks shall be in accordance with the *Fire Protection Act* and Alberta Environment.

The following setbacks shall apply unless otherwise permitted by provincial regulatory authorities:

- (4) Fuel storage tanks shall have the following setbacks from any property lines, abutting masonry building walls, drainage basins and ditches:

#### **Total Tank Capacity Setback**

Up to 7,500 litres	– 3.0 m (10 ft.)
7,501 to 19,000 litres	– 5.0 m (16 ft.)
19,001 to 38,000 litres	– 7.6 m (25 ft.)
Over 38,000 litres	– 10.5 m (35 ft.)

- (5) The minimum front yard shall be 12.19 metres (40 ft.) and no gasoline pumps shall be located closer than 6.10 metres (20 ft.) from the front property line.
- (6) The side and rear yard shall be 6.10 metres (20 ft.) with no intervening pumps or accessories.
- (7) Yard setbacks shall apply to all above ground structures, including gas pump canopies.
- (8) Maximum site coverage shall be 30 percent.

### **Site and Building Requirements**

- (9) All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Development Authority.
- (10) A minimum of 10 percent of the site area of a gas bar and service station under this section shall be landscaped to the satisfaction of the Development Authority.
- (11) The removal of tanks requires a demolition permit from the Development Authority.
- (12) The exits and entrances to the station site shall be clearly marked by curb cuts, painted markings, concrete abutments or any other means satisfactory to the Development Authority.

- (13) An appropriate chain link fence not less than 0.91 metres (3 ft.) high may be required around the property to catch debris and trash.
- (14) The stacking or queuing lanes must be in accordance with [Part 4, Section 20\(23\)](#).
- (15) All automotive or service stations, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.

#### 40. SHIPPING CONTAINERS (OR C-CONTAINERS, SEA-CONTAINERS)

- (1) Shipping containers shall only be allowed in land use districts where listed as a permitted or discretionary use in the applicable land use district. Shipping containers are prohibited in all other districts.
- (2) Any shipping container shall be subject to the following general standards:
  - (a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view).
  - (b) There shall be a legal primary use on the property where the shipping container is proposed.
  - (c) Shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material.
  - (d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.
  - (e) The Development Authority may regulate the maximum height of shipping containers.
  - (f) The Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.
  - (g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property.
  - (h) The Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.
  - (i) The Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit.
  - (j) Removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit.
- (3) A permanent shipping container is subject to the following additional provisions:



- (a) the maximum lot coverage and setback requirements for accessory structures in the applicable land use district;
  - (b) the shipping container may only be permitted in the secondary front, rear, or side yard;
  - (c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.
- (4) A shipping container may be placed temporarily on a construction site for the period of construction, or in conjunction with renovation work being done to a building, in any land use district where listed as a permitted or discretionary use with an approved development permit, subject to the following provisions:
- (a) temporary shipping containers are subject to the standards in [Section 40\(2\)](#) above;
  - (b) the shipping container is needed in connection with construction of a development for which a development permit has been issued or is to temporarily accommodate the storage of goods where a building has been damaged in a fire or flood;
  - (c) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a shipping container on an inactive construction site is prohibited;
  - (d) setbacks for a temporary shipping container shall be as required by the Development Authority;
  - (e) the Development Authority has the authority to determine the maximum amount of time a shipping container is permitted on a lot but shall not exceed a maximum 6-months unless otherwise authorized;
  - (f) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority;
  - (g) must be located such that it does not create undue glare on neighbouring property or public roadways.

#### **41. SOLAR COLLECTOR**

- (1) A solar collector attached to a wall or roof of a building may be permitted in any land use district as an accessory structure subject to the following:
- (a) A solar collector mounted on a roof:
    - (i) may project a maximum of 1.2 metres (4 ft.) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and
    - (ii) must not extend beyond the outermost edge of the roof.
  - (b) A solar collector mounted to a wall:
    - (i) must be located such that it does not create undue glare on neighbouring property or public roadways;
    - (ii) must be located a minimum of 2.3 metres (7.5 ft.) above grade;

- (iii) may project a maximum of 1.5 metres (5 ft.) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and
  - (iv) may project a maximum of 0.6 metre (2 ft.) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.
- (2) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall be classified as an accessory use and processed subject to the applicable land use district and the following additional standards:
  - (a) must be located such that it does not create undue glare on neighbouring property or public roadways; and
  - (b) must not exceed 1.83 metres (6 ft.) in height above existing grade.

## 42. SMALL WIND ENERGY SYSTEMS

### Definitions

The following definitions apply to this section:

**Blade** means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

**Blade clearance** means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

**Rotor's arc** means the largest circumferential path travelled by a blade.

**Small Wind Energy System (SWES)** means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

**Total height** means the height from grade to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

**Tower** means the structure which supports the rotor above grade.

### Permit Requirements

Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed.

**Type A Small Wind Energy System:** This use is defined as a Small Wind Energy System that is roof mounted any may include a turbine or blade system.

**Type B Small Wind Energy System:** This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 metres (40 ft.) in height.



**Type C Small Wind Energy System:** This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 metres (40 ft.) in height but does not exceed 24.4 metres (80 ft.) in height.

#### **Information Requirements**

- (1) Applications for Small Wind Energy Systems shall include the following information where applicable:
  - (a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number.
  - (b) the manufacturer's specifications indicating:
    - (i) the SWES rated output in kilowatts,
    - (ii) safety features and sound characteristics,
    - (iii) type of material used in tower, blade, and/or rotor construction;
  - (c) potential for electromagnetic interference;
  - (d) nature and function of over speed controls which are provided;
  - (e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;
  - (f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and
  - (g) location of existing buildings or improvements.

#### **Referrals**

- (2) Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Subdivision and Development Authority may refer and consider the input of the following agencies and departments:
  - (a) Alberta Utilities Board,
  - (b) Transport Canada,
  - (c) NavCanada,
  - (d) any other federal or provincial agencies or departments deemed necessary.

#### **Setbacks**

- (3) A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.
- (4) No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 metres (10 ft.) to the property boundaries of the installation site.

#### **Development Standards**

- (5) There shall be a limit of one Small Wind Energy System per parcel.

- (6) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 metres (10 ft.) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:
  - (a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback; and
  - (b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.
- (7) The system's tower shall not exceed a maximum height of 12.2 metres (40 ft.) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 metres (65 ft.) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 metres (80 ft.) on a parcel 2.0 ha (5 acres) or more.
- (8) The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.
- (9) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.
- (10) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.
- (11) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 metres (15 ft.) from ground level unless the system is enclosed by a 1.8-metre (6-ft.) high fence.
- (12) The system's utility lines shall be underground where economically practical.
- (13) The system shall be operated such that no electro-magnetic interference is caused.
- (14) The system's maximum power shall not exceed 3 kW.
- (15) The system shall be located in the rear or side yard.
- (16) Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.
- (17) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.
- (18) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

#### **Review of Permits**

- (19) Town Council may review the impacts of issuance of permits for Small Wind Energy Systems after the issuance of 10 total SWES development permits, or 5 Type B & C towers, for this specific

use within the municipality. Approval of any such uses after this threshold must consider cumulative and aesthetic impacts, and applications may be denied where it is considered to negatively impact neighbouring properties.

#### **43. TELECOMMUNICATION ANTENNA SITING PROTOCOLS**

Telecommunication, radio communication and broadcast antenna systems are regulated by Industry Canada. An applicant proposing to locate a telecommunication, radio communication or broadcast antenna system within the Town, which does not meet the exclusion criteria in Appendix A shall be subject to the Siting Protocol process as stipulated in Appendix A. The Telecommunication Antenna Siting Protocol Application form and applicable fee must be submitted by the proponent to the Development Authority who will determine if the municipality will grant a letter of concurrence or non-concurrence.

See [Appendix C](#) – Telecommunication, Radiocommunication and Broadcasting Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol.

#### **44. CANNABIS PRODUCTION FACILITY**

The requirements of this section apply to cannabis production facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada's and the federal *Cannabis Act* and *Access to Cannabis for Medical Purposes Regulations (ACMPR)*, and any other federal and provincial government regulation.

- (1) The owner or applicant must provide as a condition of development permit approval a copy of the current authorized licence by Health Canada for all activities associated for a Cannabis Production Facility/plant (either a medical, recreational or combination thereof), as issued by the federal government.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (4) The development shall not operate in conjunction with another approved use.
- (5) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (6) The development must include equipment designed and intended to remove odours and particulates from the air where it is discharged from the building as part of a ventilation system.
- (7) A Cannabis Production Facility shall not be located on a parcel of land that is adjacent to or within 350 metres of a parcel used for a school, daycare or similar use associated with the caring or congregation of children or minors.
- (8) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes detail on:
  - (a) the incineration of waste products and airborne emissions, including smell;

- (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
- (c) the method and location of collection and disposal of liquid and waste material.

#### **45. RETAIL CANNABIS STORE**

##### **Use Eligibility**

- (1) Retail Cannabis Store uses may only be permitted on a parcel of land designated as Direct Control for that specific land use. The proponents of an application for a proposed Retail Cannabis Store must apply to Town Council for a redesignation to the Direct Control land use district.
- (2) The Direct Control bylaw for a proposed Retail Cannabis Store shall reflect that Council has the sole authority to make decisions on development permits for Retail Cannabis Stores.
- (3) Council for the Town of Picture Butte will consider, amongst other matters, the following criteria in making a determination of the suitability of a site or building for a Retail Cannabis Store. Council, at their discretion acting in the role of Development Authority, shall apply any standards or conditions they determine necessary which shall be applied to the issuance of any development permit for the said use.

##### **Direct Control Redesignation Requirements**

- (4) The applicant must submit details of the proposed store location and a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites [as outlined in [Section 45\(6\)](#) below] within 200 m (drawn on a high quality and clearly legible site plan with text descriptions).
- (5) The Town of Picture Butte Council may require neighbourhood consultation to be conducted by the applicant. If a public consultation process is requested, the applicant must then provide to Council a description of when and what type of consultation was carried-out by the proponent and a general summary of the public input provided on the proposal (and a complete description of any objections or concerns raised).
- (6) Council may take into account, amongst other matters, the following factors when making a decision respecting an application to redesignate premises for a Retail Cannabis Store:
  - (a) the extent and nature of opposition from community members or groups to establishment of a Retail Cannabis Store in a particular location; and
  - (b) the suitability of the site in relation to adjacent land uses or other uses in proximity (200 m or less) to the proposed Retail Cannabis Store site.
- (7) The applicant must demonstrate to Council's satisfaction how the site and proposal conforms to the criteria as stipulated.
- (8) Council may consider that a site for a Retail Cannabis Store shall not be approved for redesignation or issued a development permit if the premises is located within a 200 metre separation distance of:
  - (a) the boundary of a parcel of land on which a provincial health care facility is located; or

- (b) the boundary of a parcel of land containing a school (public or private) facility; or
  - (c) the boundary of a parcel of land containing an approved child or daycare facility; or
  - (d) the boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the *MGA*; or
  - (e) the boundary of a parcel of land containing a municipal park or playground facility, if the land is not designated as a school reserve or municipal and school reserve under the *MGA*; or
  - (f) the boundary of the parcel of land of which contains a church, community centre, library or recreation facility where persons under 18 years of age may attend or congregate.
- (9) Additionally, a Retail Cannabis Store shall not be approved for a development permit if the premises is located within the distance of (as measured wall to wall of the buildings):
- (a) 100 metres of a building containing a separate Retail Cannabis Store that has been approved (in the absence of any provincial set of rules regarding how closely the standalone stores will be allowed to operate to one another, otherwise the provincial rules apply); and
  - (b) 50 metres of a building containing a licensed liquor store.
- (10) The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility, church, recreation facility, etc.) applying for development permit locating in proximity of established Retail Cannabis Stores.

#### **Development Permit Application Requirements**

In addition to the development application requirements as stipulated in [Section 25](#) of the 'Administration' section of the Land Use Bylaw, the following additional requirements for an application for a development permit for a Retail Cannabis Store must also be provided when requested by the Development Authority to present to Council to make a decision.

- (11) If a redesignation to the Direct Control land use district is granted, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application for a municipal development permit for a Retail Cannabis Store.
- (12) All Retail Cannabis Stores approved for a development permit must obtain a Retail Cannabis Store license from the AGLC and failure to secure an AGLC license will make the local development permit approval null and void. Proof of provincial license (for a Retail Cannabis Store) shall be required as a condition of a development permit approval.

#### **Development Criteria and Standards**

- (13) In issuing a development permit for a Retail Cannabis Store, consideration will be given by Council to the following criteria and applicable conditions:
  - (a) A Retail Cannabis Store must be a separate use from any other business activities (i.e. non-Cannabis store) unless it is an activity or use expressly authorized by the AGLC.
  - (b) Maximum hours of operation, applicable to all approved Retail Cannabis Store operations, shall be limited between 11:00 a.m. and 10:00 p.m. which will be placed as a condition on a development permit approval, unless Council decides otherwise.

- (c) All signage, including the contents, must comply with the Land Use Bylaw [Part 5, Sign Regulations](#), and municipal development permit approval is required. The applicant/developer is also responsible to ensure any signage and its message contents comply with all federal and provincial requirements, including AGLC policies.
- (d) All parking requirements shall be provided in accordance with [Part 4, Standards of Development, Section 20](#) of the bylaw, and shall be deemed to be similar to other 'retail and service commercial' uses for determining the number and size of the required parking spaces.
- (e) If an approved Retail Cannabis Store's existing AGLC license expires, the business must provide verification to the municipality that a new license has been obtained within 12 months of the expiry date, otherwise, the use will be deemed to have been discontinued and any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.
- (f) Council, acting as the Development Authority may, as a condition of approval on a development permit, specify a time limit on the development permit in regards to its validity, which may be considered a temporary use. At the time of expiry, the applicant/developer must reapply to the municipality for a development permit approval to continue the use.
- (g) A developer/operator of a Retail Cannabis Store is responsible for meeting and adhering to all provincial requirements for the physical security for the premises.
- (h) The design and construction of a Retail Cannabis Store must meet all provincial building code requirements.

## PART 5

### SIGN REGULATIONS





# PART 5

## SIGN REGULATIONS

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This Part prescribes requirements for signs, and sign owner responsibilities. It also contains regulations pertaining to safety of the signs installation and requirements for specific types of signs. The intent of this Part is to ensure that safe, well-designed and aesthetically pleasing signs are located within the Town.

### 1. ADMINISTRATION

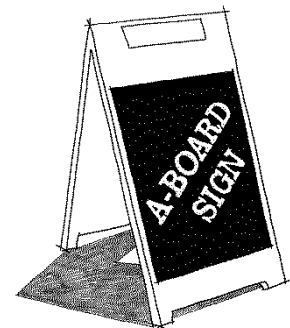
- (1) Unless otherwise provided for, this schedule applies to all signs within the Town of Picture Butte.
- (2) No one shall erect, place, or alter a sign without having first obtained a development permit from the Development Authority in accordance with the provisions of this Bylaw, unless otherwise exempted in [Section 2](#) of this Part.
- (3) For the purpose of administering the standards of this Bylaw and signage regulations in accordance with the land use districts, the following categories shall apply:
  - **Type 1 signs** – A-board, directional, political/election, real estate, garage sale, sidewalk, window, subdivision identification fascia or shingle for home occupations, exit/entrance signs.
  - **Type 2 signs** – Balloon, projecting (canopy, roof, overhanging, shingle - non-home occupation), fascia, freestanding, portable, temporary, wall, mural, digital or animated/changing copy, all other not included as Type 1.

### 2. SIGNS NOT REQUIRING A PERMIT

No development permit is required for the following types of signs:

- (a) construction company signs, provided such signs are removed within 14 days of the completion of construction;
- (b) signs of public buildings;
- (c) signs, notices, placards, or bulletins required to be displayed:
  - (i) in accordance with the provisions of federal, provincial, or municipal legislation;
  - (ii) by or on behalf of the federal, provincial, or municipal government;
  - (iii) on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government;
- (d) political posters, provided all such signs are removed within 14 days after the completion of the relevant election or plebiscite;
- (e) real estate signs, provided all such signs are removed within 30 days after the sale or lease of the premises upon which the sign is located;

- (f) residence identification signs, which state no more than the name and/or address of the person(s) occupying the lot, provided the sign is no greater than 0.2 m<sup>2</sup> (2 sq. ft.) in area;
- (g) banner or balloon signs which are displayed for a period of time not exceeding 30 days;
- (h) signs approved in conjunction with a home occupation permit;
- (i) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale;
- (j) on-premises directional and information signs and incidental signs, 0.2 m<sup>2</sup> (2 sq. ft.) or less in area;
- (k) any traffic or directional and information signs erected by the Town of Picture Butte or the Alberta Government or the Federal Government;
- (l) any community service bulletin board erected by the Town of Picture Butte and any notices posted on the bulletin board;
- (m) any window sign posted on the interior of the premises;
- (n) entrance or exit signs used for the purpose of directing traffic providing:
  - (i) those signs do not display any advertising message, other than a business logo,
  - (ii) the sign area does not exceed 0.9 m<sup>2</sup> (10 sq. ft.) in area, and
  - (iii) the sign height does not exceed 1.2 metres (4 ft.);
- (o) A-board signs (see figure) where the owner of the sign submits written authorization from the owner of the land where the sign is to be located and where the sign is removed from that location on a daily basis;
- (p) the alteration of a lawful sign which only includes routine maintenance, painting or change in face, content, copy or lettering and does not include modification to the sign structure, location, dimensions or projection style;
- (q) any sign appearing on street furniture, such as benches or garbage containers, that are located on private property; and
- (r) any sign appearing on street furniture, such as benches or garbage containers, that are located on public land if an agreement to locate the street furniture has been reached with Council;



provided all such signs are suitably maintained to the satisfaction of the Development Officer and the Municipal Planning Commission.

### 3. PROHIBITED SIGNS

The following signs are prohibited:

- (a) signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, sign projection styles or animation;
- (b) signs which emit amplified sounds or music;

- (c) in any residential district, signs that employ animation or changeable content as the projection style;
- (d) in any non-residential district, signs that employ changeable content, animation or pictorial scenes at a luminosity, intensity and/or interval which may create a public hazard or nuisance;
- (e) any sign containing animation, electronic/digital changeable content or movement shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or facility, school, or any level of government;
- (f) any signs located within the public right-of-way or on public property, except for signs approved by the Town of Picture Butte or signs approved by the Province of Alberta or Federal Government;
- (g) signs that are attached to or appearing on any vehicle or trailer which is parked on a public right of way or any other public lands or on private land that is located adjacent to a public right of way excepting thereout signs for special events organized by a non-profit association, group or organization for a display time period not to exceed 24 hours;
- (h) billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses or services licensed to operate in the Town of Picture Butte, charitable organizations or service clubs;
- (i) any sign which has not obtained a development permit or any sign which has not been deemed exempt from the requirement of obtaining a development permit as per this sign schedule (see [Section 2](#) of this Part – *Signs Not Requiring a Development Permit*).

#### **4. APPLICATION REQUIREMENTS**

All development permit applications for a sign shall:

- (a) be submitted to the Development Officer;
- (b) include a description of the proposal and a plan drawn to a suitable scale and photographs, if available, illustrating:
  - (i) the location of all existing and proposed sign(s);
  - (ii) the size, height, and other dimensions of the proposed sign(s), including any supporting structures;
  - (iii) the location of the property boundaries of the parcel upon which the proposed sign(s) are to be located;
  - (iv) details with respect to sign content (i.e. wording/lettering, text, message, graphics, etc.);
  - (v) the materials and finish proposed for the sign(s);
  - (vi) type of illumination, animation, and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval; and
  - (vii) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.

## 5. GENERAL STANDARDS FOR SIGNS

The following regulations shall be applied to all signs:

- (1) All signs shall, in the opinion of the Development Officer or Municipal Planning Commission, be of quality construction and of a design suitable for public display.
- (2) All signs shall be maintained in good repair and a safe and tidy manner to the satisfaction of the Development Officer and the Municipal Planning Commission.
- (3) No sign shall be placed in a public road or laneway or sited in such a manner that, in the opinion of the Development Officer or Municipal Planning Commission, causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.
- (4) The source of light for any illuminated sign shall be steady and suitably shielded to the satisfaction of the Development Officer and the Municipal Planning Commission.
- (5) No sign shall be located or placed in such a manner that, in the opinion of the Development Officer or Municipal Planning Commission, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility.
- (6) Signs may locate within the setback requirements of a land use district if it does not interfere with visibility at an intersection and complies with other sign requirements of [Part 5](#).
- (7) Unless otherwise specified in this Part, the maximum number of primary signs permitted on a lot with single frontage is three and with two or more frontages, five. These primary signs may consist of the following types of signs or a combination thereof:
  - (a) freestanding,
  - (b) existing projecting and overhanging,
  - (c) fascia and wall,
  - (d) canopy,
  - (e) roof,except as provided under [Section 10](#), Multi-tenant Signs.
- (8) The maximum sign area of all signs, not including portable signs, that may be located on a lot with single frontage is 13.9 m<sup>2</sup> (150 sq. ft.) and with two or more frontages is 18.6 m<sup>2</sup> (200 sq. ft.), except as provided under [Section 10](#), Multi-tenant Signs.
- (9) Unless otherwise specified, a development permit application is required for all signs. Application is made using the [Sign Development Permit Application in Appendix B](#), unless specifically exempt under [Section 2](#), Signs Not Requiring a Permit.
- (10) Except for fascia or canopy signs as provided for in this Bylaw, no signs projecting or overhanging public property shall be permitted.
- (11) Where a sign overhangs public property, the owner shall provide a save harmless agreement with the Town of Picture Butte and register the agreement on the title of the property.
- (12) A business or building owner shall remove a derelict business signage visible copy and image area within 30 days of the business ceasing operations within the town.

## 6. PORTABLE SIGNS

- (1) The copy area of a portable sign shall not exceed 3.7 m<sup>2</sup> (40 sq. ft.).
- (2) No more than one portable sign per frontage or where there are two or more frontages, a total of two portable signs may be located on a single lot or premises, except in a designated tourism sign area where more than two portable signs may be located at the discretion of the Development Officer or the Municipal Planning Commission.
- (3) No portable sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is sited without the approval of the Development Officer or the Municipal Planning Commission.
- (4) A development permit for a portable sign will be valid for a period of no longer than 120 days in a calendar year.
- (5) Portable signs may be off-premises signs under [Section 7](#), Off-Premises Signs.
- (6) The Development Officer or Municipal Planning Commission must approve the location of the portable sign on the premises having regard for location of power supply, parking pattern on the site or other site constraints.
- (7) Portable signs shall not be allowed in any residential land use district unless placed on Town boulevards or property and permission has been obtained from the municipality.



## 7. OFF-PREMISES SIGNS

- (1) The sign area of any third-party and off-premises signs visible from a roadway shall not exceed:
  - (a) 2.3 m<sup>2</sup> (25 sq. ft.) where the speed limit is no greater than 50 km per hour; and
  - (b) 4.6 m<sup>2</sup> (50 sq. ft.) where the speed limit is greater than 50 km per hour but not greater than 70 km per hour.
- (2) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Picture Butte, charitable organizations or service clubs.
- (3) All third-party and off-premises signs shall comply with all other provisions of this Bylaw unless specifically exempted.

## 8. TEMPORARY SIGNS

- (1) All temporary signs require a Development Permit except those signs exempted in [Section 2](#).

- (2) A development permit for a temporary sign will be valid for a period of no longer than 60 days, other than a portable sign" which may be allowed for 120 days maximum.
- (3) The Development Officer is satisfied that any political posters, real estate signs, third-party signs or other signs located on a boulevard have not been objected to by any residents or land owners adjacent to said boulevard, will not create a traffic hazard or obstruct the public's view of any other signs.
- (4) No temporary signs shall be suspended on or between support columns of any freestanding sign.
- (5) No posters or signs shall be placed on any public utility such as a power pole.
- (6) No posters or signs shall be placed on town street name signs.
- (7) The Development Authority must only approve the location of the temporary sign on the premises after having given due consideration for the location of power supply, sight lines visibility, parking pattern on the site and/or any other site specific development constraints that the Development Authority considers relevant.
- (8) The copy area of a temporary sign shall not exceed 3.7 m<sup>2</sup> (40 sq. ft.).

## 9. PROJECTING SIGNS (CANOPY, ROOF, PROJECTING, SHINGLE, OVERHANGING)

Projecting signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

### Canopy Signs

- (1) The copy area of a canopy sign shall not exceed 9.3 m<sup>2</sup> (100 sq. ft.).
- (2) No more than one canopy sign per frontage or, where there are two or more frontages, a total of two such signs may be located on a single lot or premises, where more than one tenant occupies the premises (see [Section 10](#), Multi-tenant Signs).
- (3) Approval of any canopy signs overhanging public land under [Part 5](#) is conditional upon the owners and/or occupiers of the premises upon which said sign is located providing to the Town of Picture Butte a written waiver of liability as authorized by Council or an indemnification agreement for any injury or damage resulting from said sign.
- (4) No part of a canopy sign, exclusive of any supports, shall be less than 2.7 metres (9 ft.) above ground or sidewalk grade.
- (5) No part of a canopy sign shall project more than 1.5 metres (5 ft.) over any public place or extend within 0.9 metres (3 ft.) of the edge of a curb or a roadway.



### Projecting Signs

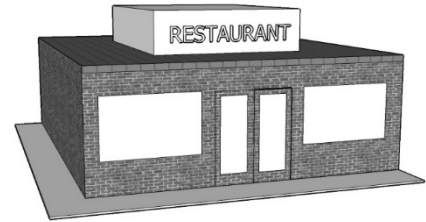
- (6) No part of a sign shall project more than 1.5 metres (5 ft.) over a public sidewalk or within 0.9 metre (3 ft.) of a curb adjoining a public roadway.



- (7) Projecting signs shall be placed:
  - (a) at right angles to the building face to which they will be attached, or
  - (b) in the case of corner sites, placed at equal angles to the building faces that form the corner.
- (8) Projecting signs shall have a minimum vertical clearance of 2.4 metres (8 ft.) measured between the lower sign edge and grade.

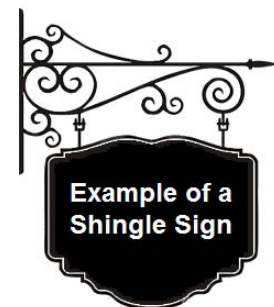
#### **Roof Signs**

- (9) No more than one roof sign per building shall be permitted.
- (10) A roof sign shall not project more than 3.0 metres (10 ft.) above the highest point of the roof.
- (11) The sign shall not be placed on the sloped portion of a roof.
- (12) The display surface of a roof sign shall not exceed 8.4 m<sup>2</sup> (90 sq. ft.).
- (13) Where the roof sign display surfaces are back-to-back in a common structure, it shall be construed to be a single sign.
- (14) Every roof sign shall be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building, unless otherwise directed by the Development Authority.
- (15) No roof sign shall extend beyond the ends or sides of the building.
- (16) Multi-tenant roof signs may be considered by the Development Authority, provided the advertising is located on one roof sign only.



#### **Shingle Signs**

- (17) In all Residential land use districts, a shingle sign associated with a home occupation shall:
  - (a) be limited to one sign, which may be a shingle type projecting sign on the premises of an approved home occupation use; and
  - (b) not exceed 0.4 m<sup>2</sup> (4 sq. ft.) in area.
- (18) In all non-residential land use districts, shingle signs shall be subject to the projecting sign standards, [Sections 9\(6\) through 9\(8\)](#).



### **10. MULTI-TENANT SIGNS**

- (1) A maximum of one secondary sign per business or service is permitted.
- (2) The sign area of all secondary signs shall not exceed 20 percent of the maximum allowable sign area for the principal sign.

- (3) For the purpose of calculations contained in [Section 5](#), General Standards for Signs, secondary signs shall not be included.

## 11. DIRECTIONAL AND INFORMATIONAL SIGNS

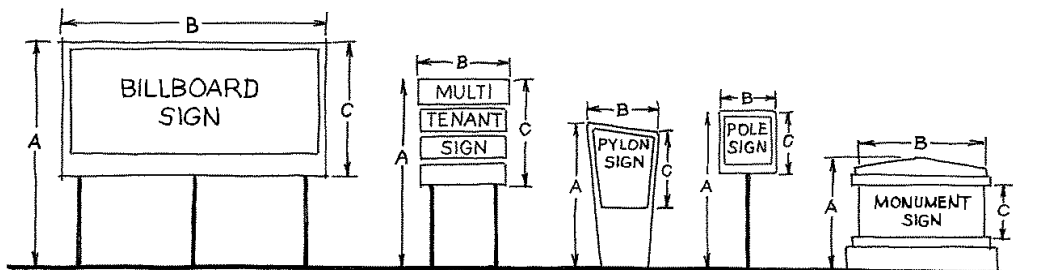
Directional and informational signs up to a maximum of 0.2 m<sup>2</sup> (2 sq. ft.) is not included in the calculations contained in [Section 5](#), General Standards for Signs (see [Section 2](#), Signs Not Requiring a Permit).

## 12. WINDOW SIGNS

- (1) Window signs are not included in the calculations contained in [Section 5](#), General Standards for Signs (see [Section 2](#), Signs Not Requiring a Permit).
- (2) Window signs shall not cover more than 50 percent of the surface area of the window.

## 13. FREESTANDING SIGNS

- (1) All freestanding signs require a development permit except those signs exempted in [Section 2](#).
- (2) No more than one freestanding sign per frontage or a total of two freestanding signs shall be located on a single lot or premises with two or more frontages.
- (3) No freestanding sign shall exceed 7.6 metres (25 ft.) in height.
- (4) All freestanding signs shall be completely located on the same lot as the use being advertised, with the exception of off-premises signs approved in accordance with the provisions of [Part 5](#).
- (5) With the exception of directional and informational signs, any part of a freestanding sign that extends beyond the support column or between two support columns shall be 2.7 metres (9 ft.) above ground or sidewalk grade.
- (6) No temporary signs shall be suspended on or between support columns of any freestanding sign.
- (7) The total sign area for each face shall not exceed 7.0 m<sup>2</sup> (75 sq. ft.). Sign area is depicted in figure below as dimension B multiplied by dimension C.

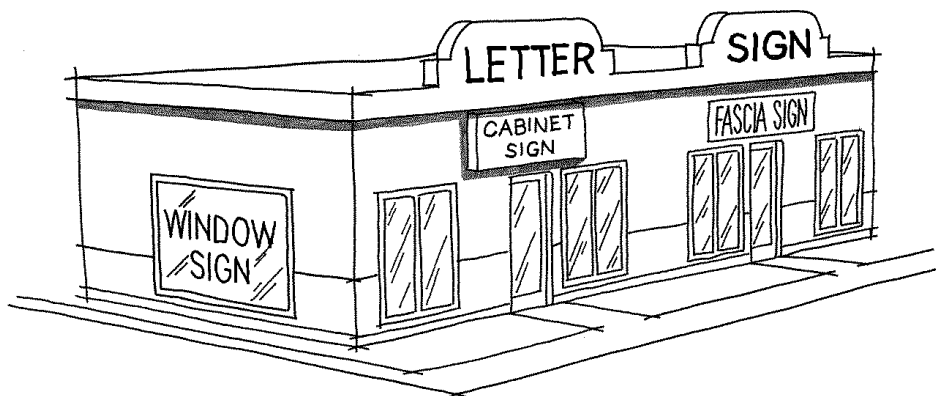


- (8) Billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte, are not permitted.

#### 14. FASCIA AND WALL SIGNS

Fascia signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

- (1) All fascia signs require a development permit except those signs exempted in [Section 2](#).
- (2) No more than one fascia or wall sign per frontage or where there are two or more frontages, a total of two such signs may be permitted.
- (3) The sign area of a fascia or wall sign for a commercial or industrial use shall not exceed 9.3 m<sup>2</sup> (100 sq. ft.).
- (4) A fascia sign shall not project more than 0.3 metre (1 ft.) from the face of a building.
- (5) Whenever there is a band of several fascia or wall signs, they should be of a consistent size and located near the same level as other similar signs on the premises and adjacent buildings.
- (6) For a multi-use or multi-bay mixed commercial building, the total maximum sign area permitted for fascia signs is 20 percent of the area formed by each building face or bay.



#### Mural Signs

- (7) No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Planning Commission.
- (8) The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.
- (9) The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.
- (10) Display of text, including a business name or commercial message, within a mural shall not exceed 10 percent coverage of the wall surface area, up to a maximum coverage size of 9.3 m<sup>2</sup> (100 sq. ft.).

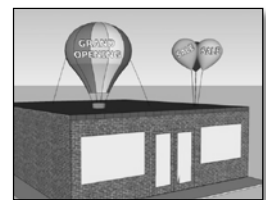
## 15. DIGITAL / ANIMATED / CHANGEABLE CONTENT SIGNS

- (1) Any sign containing animation, electronic/digital changeable content or movement shall be at the discretion of the Development Authority.
- (2) Permitted sign type – Only fascia, freestanding and portable signs may be considered for projection using animation, digital or electronic message board changeable copy.
- (3) No more than one digital sign may be permitted on a single parcel.
- (4) The sign area of a sign containing animation, electronic/digital changeable content or movement shall not exceed 4.65 m<sup>2</sup> (50 sq. ft.).
- (5) There shall be a minimum 300 metres (984 ft.) separation distance between all signs using animation, digital or electronic message board (changeable copy).
- (6) Active digital signs that use digital technology to provide visual communication in advertising or conveying a message for pedestrian or vehicular traffic, where the message is non-fixed (flashing, scrolling, pulsating etc.), and where the message duration is of a time period where the average pedestrian or vehicle passer-by is subjected to a message change, shall not be permitted in the municipality.
- (7) The Development Authority may place conditions on a development permit approval limiting or regulating the timing or change of content on a sign.
- (8) Any sign containing animation, electronic/digital changeable content or movement shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or organization, school, or the municipality.
- (9) Any sign that is illuminated, animated, or a digital and electronic message board (changeable copy) located within 304.8 metres (1,000 ft.) of a provincial highway right-of-way or within 800 metres (2,625 ft.) of the centreline of a highway and a public road intersection must be approved by Alberta Transportation.

## 16. BALLOON SIGNS

Notwithstanding that no permit is required in accordance with [Section 2](#) of this Part, a balloon sign shall:

- (a) not be permitted in any residential land use district;
- (b) be securely anchored or fastened to wind resistant ground structures or building fasteners; and
- (c) not be located within the public right-of-way, and not hinder or obstruct pedestrian or vehicle traffic.



## 17. OTHER SIGNS

When a sign cannot be clearly categorized as one of the sign types as defined in this Bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

## 18. SIGN DEFINITIONS

For the purpose of the Land Use Bylaw and this schedule, the following definitions apply:

**A-BOARD** means a portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person. See [Section 10 – Portable Signs](#).

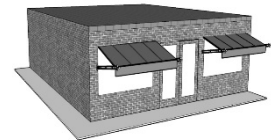


**ABANDONED SIGN** means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

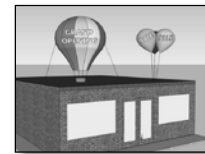
**ANIMATION** means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.



**AWNING** means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.



**BALLOON SIGN** means any inflatable device used or employed as a sign that is anchored to the ground or to a building or structure.



**BANNER SIGN** means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.



**BILLBOARD SIGN** means a freestanding structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

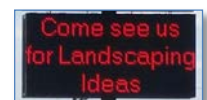
**CANOPY** means a permanent fixture fitted over windows and doors and used for either shelter, advertising or decoration.

**CANOPY SIGN** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

**CHANGEABLE CONTENT** means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.



Mechanical



Electronic

**CONSTRUCTION SIGN** means a temporary sign which is placed on a site to advertise items such as the provision of labour, services, materials or financing on a construction project.

**DIRECTIONAL AND INFORMATION SIGN** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.



**FASCIA SIGN** means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.30 metre (1 ft.) from the building.

**FREESTANDING SIGN** means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade.

**FRONTAGE** means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

**HOME OCCUPATION SIGN** means a sign advertising a home occupation approved under the provisions of the Land Use Bylaw.

**LUMINOSITY** means the measurement of brightness.

**MULTI-TENANT SIGN** means any type of sign that may contain sign content that advertises more than one tenant and/or business. See [Sections 9 through 14 of this Part](#) for applicable sign type: e.g. freestanding sign, billboard sign, portable sign, etc.

**MURAL SIGN** means any picture, scene, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction.

**OFF-PREMISES SIGN** means any type of sign that may contain sign content that advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**OFF-PREMISES SIGN CONTENT** means sign content which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**ON-PREMISES SIGN CONTENT** means sign content which advertises a service, product or activity conducted, sold or offered on the property that the sign is located.

**OTHER SIGN** means any sign that is not defined as a canopy sign, fascia sign, freestanding sign or portable sign.

**OVERHANGING** means that which projects over any part of any street, lane or other municipally owned property.

**PARAPET** means the extension of a false front wall above a roof line.

**POLITICAL POSTER SIGN** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

**PORTABLE SIGN** means a sign that is not permanently affixed to a building, structure, or the ground and does not include A-Board signs as defined in this Bylaw.

**PROJECTING SIGN** means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.30 metre (1 ft.) horizontally from a structure or building face.

**REAL ESTATE SIGN** means a sign advertising real estate (i.e. property) that is for sale, for lease, or for rent or for real estate that has been sold.

**RESIDENCY IDENTIFICATION SIGN** means a sign located on a lot in a residential district that provides for the name and/or address of the owner or occupant of a dwelling.

**ROOF SIGN** means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

**ROTATING SIGN** means a sign or portion of a sign which moves in a revolving manner. See [Sections 7 through 10](#) of this Part for applicable sign type requirements: e.g. freestanding sign, billboard sign, portable sign.

**SHINGLE SIGN** means a small sign which is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building and are typically found in pedestrian oriented environments such as a downtown and/or historic district.

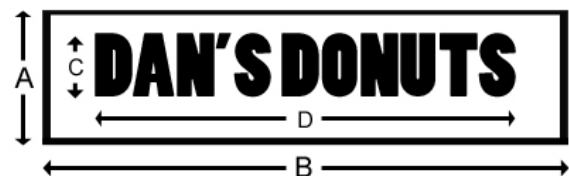
**SIGN** means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, object or event.

**SIGN ALTERATION** means the structural and/or projection style modification of a sign but does not include the routine maintenance, painting or change in face, content, copy or lettering.

**SIGN AREA** means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. See figure below.

**SIGN CONTENT** means the wording/lettering, message, graphics or content displayed on a sign.

**SIGN CONTENT AREA** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.



Sign area = length of A x length of B  
Sign content area = length of C x length of D

**SIGN HEIGHT** means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

**SIGN ILLUMINATION** means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign.

**SIGN PROJECTION STYLE** means the method by which the sign content is conveyed to the viewer (e.g. lettering/logo, animation, changeable content, movement/motion).



**SIGN TYPE** means the type of structure of a sign (e.g. billboard, freestanding, portable, etc.) used to convey sign content.

**TEMPORARY SIGN** means any sign permitted, designed or intended to be displayed for a short period of time (not to exceed 30 days), not including portable signs, however including balloon signs, developer marketing signs, land use classification signs, construction signs, political poster signs, window signs, banner signs, A-board signs or any other sign that is not permanently attached to a building, structure or the ground.

**VEHICLE SIGN** means a sign attached to, painted on or installed on a vehicle other than a public transportation vehicle, taxi cab or school bus.

**WINDOW SIGN** means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

## **PART 6**

### **DEFINITIONS**



# PART 6

## DEFINITIONS

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### A

**Accessory building** means any building:

- (a) which is separate from the principal building on the lot on which both are located, and the use of which the Municipal Planning Commission decides is normally subordinate and incidental to that of the principal building; or
- (b) the use of which the Municipal Planning Commission decides is normally subordinate and incidental to the principal use of the site on which it is located.

**Accessory structure** means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

**Accessory use** means a use of a building or site which the Development Officer decides is normally subordinate and incidental to the principal use of the building or site.

**Addition** means adding onto an existing building, provided that there are no major structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

**Amusement facility** means a building or facility where four or more mechanical or electronic games are kept or indoor games are commercially offered such as arcades, bowling alleys, video gaming rooms, mini-putting or putting greens, for the purpose of furnishing entertainment or amusement to the public for a fee.

**Animal grooming facility** means development for the on-site treatment or grooming of small domestic animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. Examples include pet grooming salons.

**Apartment building or dwelling** means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

**Applicant** means the registered owner of the land or his or her representative or agent certified as such.

**Approved use** means a use of land and/or building for which a development permit has been issued by the Development Officer or the Municipal Planning Commission.

**Area structure plan** means a statutory plan in accordance with the *MGA* and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

**Auto body and paint shop** means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

**Auto sales and service** means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

## B

**Bakery** means a facility where baked food products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

**Bank** means a financial institution for the deposit, custody, loan, exchange or issuance of money or financial services or products are commercially dealt with.

**Basement** means the lowest storey of a building, partly or wholly below grade.

**Bay** means a self-contained unit or part of a building which can be sold or leased for individual occupancy.

**Bay window** means a window or series of windows projecting from the outer wall of a building and forming a recess within.

**Bed and breakfast** means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.

**Belt course** means a horizontal band forming part of an interior or exterior architectural composition.

**Berm** means an earthen or dyke-like form used to separate incompatible areas or functions, or constructed to protect or shield the site, use or district from noise, vehicular road noise, or visual blights.

**Billboard** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.

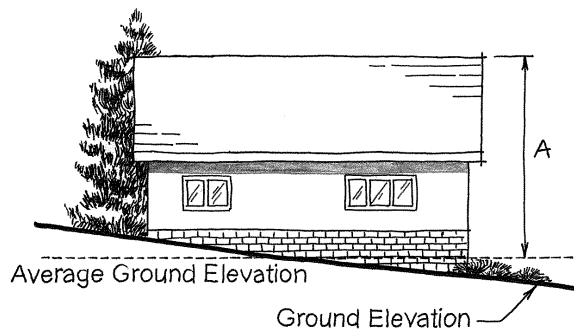
**Boarding house** means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where means or lodging for 5 or more persons are provided for compensation pursuant to previous arrangements or agreement.

**Buffer** means a row of trees, hedges, shrubs or berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

**Buildable area** means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions, utility right-of-way or easements, and separation distances have been deducted.

**Building** has the same meaning as it has in the *MGA*.

**Building height** means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.



**Building inspector** means the person or persons appointed by the municipality to be the chief building inspector or building inspectors in and for the Town of Picture Butte.

**Building massing** means the volume, height, location and orientation of a building.

**Building permit** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

**Building scale** refers to building elements and details as they proportionally relate to each other and to humans.

**Building site** means a portion of land that is the subject of a development application on which a building can or may be constructed.

**Building supplies** means a commercial retail store where lumber, building materials, hardware, household accessories and other related goods are stored and/or offered for sale and may include outside storage.

**Bulk fuel station** means a facility for the purpose of storing fuel for distribution to customers or businesses and does not include a service station.

## C

**Cannabis** means a plant *Cannabis sativa*, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, and any substance or mixture of substances that contains or has on it any part of such a plant; and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant.

**Cannabis production facility** means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested, destroyed, stored or loaded for

shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time.

**Canopy sign** means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

**Carport** means a partially enclosed structure intended for the shelter of one or more motor vehicles. Enclosure is limited to the roof and to a height of not greater than 0.9 metres (3 ft.) above the ground or finished surface of the carport.

**Clubs and organizations** means development used for the meeting, social or recreational activities of members of a normally non-profit philanthropic, social service, community, athletic, business, religious or fraternal organization, without on-site residences. Clubs and fraternal organizations may include rooms for eating, drinking and assembly.

**Common wall** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**Community facilities** means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.

**Comprehensive development** means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

**Condominium** means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

**Construction or building trade shop** means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

**Contractor** means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

**Convenience store** means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which typically do not exceed 400 m<sup>2</sup> (4,305 sq. ft.) in gross floor area. This use does not include Retail Cannabis Store which is a separate use.

**Copy area** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

**Corner lot** means a lot located at the intersection or junction of two or more streets.

**Cornice** means the top course of a wall when treated as a finish or crowning member.

**Council** means the Council of the Town of Picture Butte in the Province of Alberta.



# D

**Day care facility** means a provincially licensed facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

**Day home** means the provision of care or supervision of individuals, either children or adults, within a private dwelling for a period not exceeding 24 consecutive hours and with no more than 6 clients per day.

**Deck** means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building. Other specific deck meanings include the following:

- (a) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.
- (b) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (c) A **ground level patio** means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.

**Development Officer** means a person authorized by Council to act as a development authority pursuant to [Part 1, Section 6](#) and in accordance with the Development Authority Bylaw.

**Development agreement** means an agreement between the developer and the municipality to:

- (a) construct or pay for the construction of public roadways or parking areas;
- (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
- (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

**Demolition** means any act or process that destroys or removes in part or in whole a building or structure.

**Density** means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

**Developer** means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use or cause to be located or constructed on the property buildings or structures.

**Development** has the same meaning as it has in the *MGA*.

**Development agreement** means a contractual agreement completed between the municipality and an applicant for a development permit which specifies the public roadways, utilities and other services to be provided by the developer as a condition of development approval or subdivision approval, provided the agreement is in accordance with sections 648, 650, 654 and 655 of the *MGA*, as amended.

**Development area** means the area to be occupied by a building plus the reasonable area required for excavation and construction.

**Development Authority** means the Municipal Planning Commission, except in such instances whereby the designated or development officer may be the Development Authority, in accordance with this Bylaw.

**Development permit** means a document issued pursuant to this Bylaw authorizing a development.

**Directional and information sign** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

**Discretionary use** means the use of land or building(s) provided for in the Land Use Bylaw for which a development permit may be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

**District** means a defined area of a municipality as set out in the land use district Parts of uses and indicated on the Land Use Districts Map.

**Drive-in business** means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

**Drive-in food service** means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

**Drive-in restaurant** means a restaurant which offers car attendant service or drive-through pick-up service.

**Dwelling unit** means a building or portion thereof designated or used exclusively as the living quarters (construed as including sleeping, cooking and toilet facilities) for one family.

## E

**Easement** means a right held by one party in land owned by another.

**Exotic animals** means bison, alpaca, llama, cervid (elk, deer), fur (mink, fox), rabbits, fur-bearing animals, ratites (emu, ostrich), pheasants, and other similar animal types including uncommon, wild or specialized animal breeds.

**Extensive agriculture** means the science, agronomy or occupation involving cultivating soil, raising and producing field crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing, fertilizing (non-manure), of existing titles or proposed parcels usually 8.1 ha (20 acres) or more in size. For the purposes of this bylaw, this use excludes the stockpiling or composting of manure.

## F

**Fabric building** means a structure, truss or tube-frame building system which is covered with fabric, generally of canvas, vinyl, plastic, or cotton material, which is typically used as an accessory building, garage or for storage. For use purposes these may be considered as an **Accessory building**.

**Farm animals** means those types of animals typically or commonly associated with farming and ranching practices or livelihood activities, such as cattle, horses, swine, poultry (chickens, turkeys), goats, sheep, mules, donkeys, water fowl (ducks, geese), and their associated species.

**Farm machinery sales and service** means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the production, operation and maintenance of agricultural uses related to the cultivation, harvesting, seeding, ploughing or irrigating of land for crop, food or forage production and its associated uses. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

**Farmer's market** means an occasional or periodic market held in an open area or in a building or structure where multiple sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.

**Fascia sign** means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metre (1 ft.) from the building.

**Fence** means a structure usually made of wood, rails or wire intended to mark parcel boundaries and provide yard privacy.

**Financial institution** means a development primarily for providing the service of banking, financial investments or lending money, such as a bank, savings and loan institution, or credit union.

**Floor area** means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

**Food or grocery store** means a store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

**Food processing** means a development for the preparation, processing, or canning and packaging of food products and the wholesale distribution of the same.

**Foundation** means the supporting base structure of a building which has been designed and engineered to support the associated weight of the building or structure.

**Fourplex dwelling** means a form of cluster housing containing four dwelling units, where:

- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

**Fraternal organization** - see Clubs and Organizations.

**Freestanding sign** means any sign or display supported by a freestanding column or structure.

**Front yard** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building. For *Secondary Front yard* refer to [Part 4, Standards of Development](#).

**Frontage** means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

**Funeral home** means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

## G

**Garage** (residential) means an accessory building designed and used for storage of motor vehicles. For associated residential use, a garage may be detached or attached to a dwelling.

**Garage suite** means a dwelling unit located above a rear detached garage, which is accessory to a principal dwelling unit.

**Garden centre** means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

**Grade** means the average surface level of the ground when the work of erecting a structure is completed.

**Grazing and pasturing of livestock** means a parcel of agricultural land that may be ground covered with suitable vegetation, grass or other plants for the grazing, foraging or feeding of livestock, and may include some supplemental outdoor feeding (grain, legume fed) of the livestock on the pasture land.

**Greenhouse** means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale. This use does not include Cannabis Production Facility which is a separate use.

**Gross floor area** means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

**Group home** means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A group home may incorporate accommodation for resident staff as an accessory use.

# H

**Habitable structure** means any building or structure used, or intended for use, on a day-to-day basis by people for residential purposes, or for purposes of conducting a commercial or industrial business, or for purposes of a similar nature, that meets minimum health and safety standards.

**Health or fitness centre, commercial** means the use of a building for the purpose of providing recreation and fitness opportunities to individuals or groups on a user-pay basis. It includes a facility designed for the major purpose of physical fitness or weight reducing which includes, but is not limited to, such equipment as weight resistance machines, whirlpools, saunas, showers, lockers, and may include activities such as yoga, Pilates, spin cycling and various martial arts. This shall not include municipal or privately owned recreation buildings.

**Home occupation** means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

**Hotel** means a building, typically with multi-floors, used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities.

# I

**Illuminated sign** means any sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

**Improvement** means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

**Industrial equipment sale and rental means** a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and mobile home sales and rentals.

**Industrial operation** means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

**Institutional** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

**Interior lot** means any lot other than a corner lot.

# K

**Kennel** means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.

# L

**Landscaped area** means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

**Landscaping** means the modification and enhancement of a site or development through the use of the following elements:

- natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- excludes all areas utilized for driveways and parking.

**Lane** means a public roadway, not exceeding 9.1 metres (30 ft.) in width which provides a secondary means of access to a lot (site).

**Liquor store** means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off-premises. Full walls must physically separate the premises from any other business.

**Livestock** means domesticated animals raised in an agricultural setting, typically associated with farms and ranches, to produce commodities such as food, fibre, and labour, and includes but is not limited to, cattle (both beef and dairy), sheep, swine, horses, mules and other useful animals.

**Loading space** means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

**Lodge or boarding houses** – see Boarding Houses.

**Lot** means an area of land the boundaries of which are shown on a plan registered in a Land Titles Office, or are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office. The words **site** and **parcel** shall have the same meaning as the word **lot**.

**Lot area** means the total horizontal area of a lot.

**Lot length** means the horizontal distance between the front and rear lot lines vertically projected and measured along the median between the side lot lines.

**Lot lines** means the legally defined limits of any lot. The term property line shall have the same meaning.

**Lot width** means the average horizontal distance between the side lot lines.

**Lumber yard** means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

## M

**Machinery and equipment sales and repair** means the use of land or buildings for the display, sale, service and/or rental of machinery.

**Manufactured home 1** (Single-detached dwelling) means a new dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. These are a new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. Single-detached manufactured homes include the following: manufactured, modular, and prefabricated, but this definition does not include ready-to-move, manufactured home 2 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers.

**Manufactured home 2** (Single-detached dwelling) means a manufactured home that has been either previously occupied, is new or does not meet the definition or standards of Manufactured home 1. These are commonly or have previously been referred to as “Mobile homes” and may consist of “Double-wide”, which means a manufactured home consisting of two sections, moved separately, that are joined together into one integrated dwelling unit on site, or “Single-wide” which means a manufactured home designed to stand alone as a single dwelling unit. This definition does not include ready-to-move, manufactured home 1 (as defined in this Bylaw), park model recreational units, park model trailers or travel trailers.

**Manufactured home park** means a parcel of land maintained and operated by an owner or a manager providing multiple or grouped spaces for the long-term parking and occupancy of manufactured homes and spaces for ancillary facilities including recreation area.

**Medical cannabis** means a substance used for medical and pharmaceutical purposes authorized by a license issued under the federal government and in accordance with the Government of Canada’s Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

**Mixed land use** means a concentration of complementary but different land uses that are physically integrated on one site or on one parcel of land.

**Mobile home** means a dwelling suitable for long-term or permanent occupancy, and designed to be transported on its own wheels or by other means; and which, upon arriving at a residential site is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy. Units may be single-wide or double-wide but shall not include prefabricated or sectional dwellings. Typically, these units were constructed prior to the year 2006.



**Motel** means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

**Moved-in building** means a conventional pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site and does not include mobile homes.

**Moved-in dwelling** means a conventional pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site for use as a residence.

**Multi-unit dwelling** means a building (other than a row dwelling) containing three or more separate dwelling units.

**Multi-tenant sign** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

**Municipal Government Act (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

**Municipal Planning Commission (MPC)** means the committee authorized by Council to act as the Subdivision Authority pursuant to section 623 of the *Municipal Government Act* and Development Authority pursuant to section 624 of the *Municipal Government Act*, and in accordance with the municipality's Subdivision Authority Bylaw and Development Authority Bylaw.

**Municipality** means the Town of Picture Butte in the Province of Alberta.

## N

**Non-conforming building** means a building:

- (a) that is lawfully constructed or lawfully under construction at the date of a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

**Non-conforming use** means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw.

**Noxious or hazardous uses** are those land uses which may be detrimental to public health, safety and welfare or those uses which because of their toxic gases, noxious smells, wastes, noise, dust or smoke emissions may be incompatible with residential or other development.

# O

**Off-premises sign** means any sign which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

# P

**Park and playground** means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, benches, open green space, pedestrian and bicycle paths, outdoor courts, landscaped areas and associated public washrooms and may include equipment for play purposes usually for children and any associated structures and uses.

**Park model trailer** means a recreational vehicle that is either:

- (a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or
- (b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA-Z-241 standard for recreational vehicles. A park model trailer shall not be used as a permanent dwelling unless certified by a Safety Codes Officer and approved by the Development Authority.

**Permitted use** means the use of land or building(s) which is permitted in a district for which a development permit shall be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

**Personal service** means providing services for personal care and appearance, for the cleaning, servicing, altering and maintenance of personal belongings and effects, and for services such as photographic studios and processing, and includes the supplementary retail sale of associated products. Personal service includes barber shops, beauty or hairdressing salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Development Authority considers similar to any one or all of these uses.

**Places of worship** means a building dedicated to the undertaking of religious practices, services and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

**Portable sign** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

**Portable storage structure** – see “Fabric building”.

**Primary sign** means a sign advertising the primary use of the premises.

**Principal building** means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**Principal use** means the main purpose, in the opinion of the Development Officer, for which a lot is used.

**Private amenity space** means a functionally designed space for the use and benefit of the occupants of a development and is partially or wholly visually screened to provide a private social/recreational area, provides reasonable protection from the natural outdoor elements and provides direct access to and from the dwelling unit that it serves.

**Professional offices or services** means a building, space or use involving the dispensation of a service or advice that requires a specific skill or knowledge and/or registration with a professional administrative/regulatory body that awards a professional designation, for a profit (i.e. lawyers, accountants, engineers, financial planners, insurers, pharmacists, etc.), and which may include the accessory sale of goods.

**Projections over yard** means portions of, and attributes to, a principal building that may encroach into a required setback or minimum yard area, as outlined in a land use district of the Land Use Bylaw.

**Provincial Land Use Policies** means policies established by order of the Lieutenant Governor pursuant to section 622 of the *MGA*.

**Public** means the use of land or a building which is accessible or visible to all members of the community.

## Q

**Queuing aisle** means an area of a lot designed to accommodate vehicles waiting in line at a vehicle-oriented facility.

**Queuing space** means the part of a queuing aisle need to accommodate a single vehicle.

## R

**Ready-to-move** dwelling means a residential dwelling that is a conventional stick framed home previously unoccupied that is constructed at a location or site other than on the lot intended for occupancy, and then is later transported and moved to the site.

**Rear yard** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building. On a lot with a lane, it would be the portion between the principal building and the lane.

**Registered owner** means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or

- (b) in the case of any other land:
  - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
  - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

**Restaurant** means an establishment where food and beverage is prepared and served on the premises for sale to the public and includes seating areas for patrons, and may include entertainment which is ancillary to the preparation and service of food.

**Retail cannabis store** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. This use does not include Retail Cannabis Store which is a separate use.

**Row or town house dwelling** means a building containing three or more separate dwelling units with each unit placed side by side, sharing common walls between adjacent units, and each having a separate front and rear entrance.

## S

**Screening** means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

**Secondary sign** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

**Secondary suite** means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

**Secondary suites (detached garage)** means a separate and subordinate self-contained dwelling unit located above a detached garage, in which the sleeping and living areas are combined in an open studio or loft style. The secondary suite garage must be located at the rear of the principal building and shall be ancillary to the primary dwelling unit.

**Sectional dwelling** means a prefabricated or modular structure moved onto a lot, assembled over a basement/foundation, which has the appearance of and is used as a conventional single-detached dwelling unit.

**Semi-detached dwelling** means a building containing two separate dwelling units connected by a common wall, with separate exterior access to each unit. For the purposes of this Bylaw, this term may

include a duplex which means a building containing two separate dwelling units connected by a common floor or ceiling.

**Semi-public buildings or use** means philanthropic and charitable uses, including YMCAs, YWCAs, Salvation Army [facilities], churches, and church-related institutions, orphanages, humane societies, private welfare organizations, non-profit lodges and fraternal orders, Red Cross, and other general charitable institutions. This shall also include all buildings and premises used in the operation of the semi-public use.

**Senior citizen housing** means development, including lodges which is used as a residence for elderly individuals not requiring constant or intensive medical care.

**Service station** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles. Convenience stores may be allowed in conjunction with the previously-mentioned uses.

**Setback** means the distance required between a building, development, or use from a property line facing a street.

**Shall** means, within the context of a policy, that the action is mandatory.

**Shipping container (c-container or sea-container)** means any container that was used for transport of goods by means of rail, truck or by sea, they may also be referred to as cargo containers, c-containers or sea-containers. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.

**Side yard** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.

**Sign** means a development or location of any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images.

**Sign area** means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing letters or symbols. Frames and structural members not bearing advertising matters shall not be included in computation of surface area.

**Signs** – refer to Sign Definitions in [Part 5](#) for additional sign type and signage definitions.

**Similar use** means a use of land or building(s) for a purpose that is not provided in any district designated in this Bylaw, but is deemed by the Municipal Planning Commission to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Single-detached dwelling** means a building containing one dwelling unit only and excluding moved-in dwellings and mobile homes.

**Site coverage** means the percentage of the lot area which is covered by all buildings and structures on the lot.

**Site density** means the average number of families, persons or dwelling units per unit of land.

**Small Wind Energy System (SWES)** means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

**Solar collector** means a device or structure that is capable of collecting and distributing solar energy for the purpose of transforming it into thermal, chemical or electrical energy.

**Stop order** means an order issued by the development authority pursuant to section 645 of the *MGA*.

**Storage display area** means a limited or defined area on a commercial or industrial lot which provides examples of equipment, products, vehicles or items sold by the business use and located on the subject site containing the display area, but not located within any required setback, or located on any required and approved landscaping area unless approved by the Development Authority.

**Street** means a registered and named public roadway greater than 9.1 metres (30 ft.) in width. The term right-of-way shall have the same meaning as street.

**Structure** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

**Subdivision and Development Appeal Board** means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

## T

**Telecommunication antenna** means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

**Telecommunication facility** means an antenna or tower, typically constructed of metal and used to convey telecommunications signals and includes any related accessory structures. It may also be a shortened tower or antennae on top of a structure.

**Temporary development or uses** means a development for a permitted, discretionary, or similar use determined to be non-permanent, seasonal or temporary in nature and whereas the permit is for a period not to exceed one year, or if a part or section of the bylaw stipulates a specific maximum time period for a use different than the one year, then that period shall apply.

**Temporary sign** means any sign permitted, designed or intended to be displayed for a short period of time, not including portable signs, including posters, banners and sandwich boards.

**Temporary structure** means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

# U

**Use** means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

**Use, Discretionary** means those uses as prescribed in [Part 2](#) of this Bylaw for which a development permit may be issued with or without conditions by the Development Authority at its discretion upon application having been made to the development authority if the proposed use conforms with this Bylaw.

**Use, Non-conforming**, in accordance with the *Municipal Government Act*, means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof, affecting the land or building, becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not comply with the Land Use Bylaw.

**Use, Permitted** means those uses as prescribed in [Part 2](#) of this Bylaw for which a development permit shall be issued with or without conditions by the Development Authority upon application having been made to the Development Authority if the proposed use conforms to this Bylaw.

**Use, Principal** means the main purpose or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**Use, Similar** means a use of land or building(s) for a purpose that is not provided in any district designated in this Bylaw, but is deemed by the Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Utility** means any one or more of the following:-

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) waterworks systems (facilities for the storage, transmission, treatment, distribution or supply of water);
- (c) sewage systems (facilities for the collection, treatment, movement or disposal of sanitary sewage);
- (d) storm sewage drainage facilities;
- (e) telecommunications systems;
- (f) systems for the distribution of artificial light or electric power;
- (g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure; and
- (h) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclause (a) through (g) that are exempted by the Lieutenant Governor in Council by regulation. Within the context of this definition, “**Public Utility**” means a utility that is owned or operated by some level of government, and “**Private Utility**” means the utility is owned or operated by a non-government entity, private company, publicly traded company or utility agency.



## V

**Veterinary clinic** refers to a medical facility which treats animals of all sizes and can consist of inside and outside pens.

**Veterinary clinic, Large animal** means a facility for the medical treatment of primarily large animals (e.g. typically horse, cows, hogs, etc.) but may treat animals of all sizes and can consist of inside and outside pens and may include associated office space and the supplementary sale of associated products.

**Veterinary clinic, Small animal** means a facility for the medical treatment of small animals (e.g. typically domestic household pets such as dogs, cats, rabbits, etc.) and includes the provision for their overnight accommodation within the building only, and may include associated office space, with no provision for outside pens or cages. This use may include off-site treatment of animals or livestock of any size and the supplementary sale of associated products.

## W

**Waiver** means the variance of the regulatory sections contained in the Land Use Bylaw.

**Warehousing** means the use of a building for the storage of materials, products, goods and merchandise.

**Welding** means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

**Window sign** means a sign permanently or temporarily applied directly to the inside surface of a window and intended to be viewed from the outside.

**Workshop** means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

## Y

**Yard** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted. Refer to other yard definitions for front, rear and side yard.

**NOTE:** *All other words and expressions, not otherwise defined, have the same meaning assigned to them in the Municipal Government Act.*



## Appendix A

### Fees



# Appendix A

## Fees

This Appendix of fees may be updated from time to time as per a separate Fee Schedule Bylaw as approved by Council. In all instances, the most recent adopted Fee Schedule Bylaw shall apply.

Amended by Council January 11, 2016:

Fee Schedule	Permitted Uses	Permitted Use Requesting Waiver up to 10%	Discretionary Use <u>or</u> Use Requesting Waiver Greater than 10%	Fee for undertaking development <u>without</u> an approved development permit
<b>Residential:</b>				
Dwellings (any up to 4 units)	\$100	\$150	\$200	\$1000
Additions	\$75	\$100	\$200	\$750
Garages (Accessory Buildings)	\$75	\$100	\$200	\$500
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages) and decks	\$50	\$150	\$200	\$500
Home Occupations Type A	\$75	\$100	\$150	\$500
Home Occupations Type B	\$100	\$150	\$200	\$750
Multi-unit more than 4	\$150	\$200	\$300	\$1000
Secondary Suites	\$150	\$200	\$300	\$750
<b>Commercial:</b>				
Change of Use	\$100	\$200	\$300	\$1000
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages)	\$75	\$100	\$200	\$500
Commercial buildings	\$200	\$250	\$300	\$2000
Multi-tenancy buildings or complexes	\$300	\$350	\$400	\$2000
Additions to buildings	\$100	\$150	\$250	\$750
<b>Industrial:</b>				
Change of Use	\$150	\$250	\$300	\$1000
Accessory Buildings / Structures 100 sq. ft. or greater (excluding garages)	\$75	\$100	\$200	\$500
Single tenancy buildings	\$200	\$250	\$300	\$2000
Multi-tenancy buildings or complexes	\$300	\$350	\$400	\$2000
Additions to buildings	\$100	\$150	\$250	\$750

Fee Schedule	Permitted Uses	Permitted Use Requesting Waiver up to 10%	Discretionary Use <u>or</u> Use Requesting Waiver Greater than 10%	Fee for undertaking development <u>without</u> an approved development permit
All other uses	\$200	\$250	\$300	\$1000
Sign Permit: Sign Type 1	\$50	\$100	\$150	\$400
Sign Type 2	\$100	\$150	\$200	\$500
Demolition Permit:			\$50	
Recirculation Fee:			50% of the original application fee	
Land Use Bylaw Amendments:			\$500	
Other Statutory Plans and Amendments To:			\$500	
Request to convene a special meeting of the Municipal Planning Commission:			\$300	
Appeal to the Subdivision and Development Appeal Board:			\$350	

**Additional and separate fees will be required for building permits and inspections.**

Whenever an application is received for a development or use not listed in this schedule, the amount of the fee shall be determined by the Designated Officer or the Municipal Planning Commission and shall be consistent with those fees listed herein. Fees are set by Council may be adjusted from time to time.

## Appendix B

### Forms







Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

RESIDENTIAL  
DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to commence construction until such time as a permit has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant  
(please print): \_\_\_\_\_

Phone (primary): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Fax: \_\_\_\_\_

Municipality: \_\_\_\_\_

Email: \_\_\_\_\_

Postal Code: \_\_\_\_\_

☐ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property?

☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent  
☐ Contractor  
☐ Tenant  
☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Land Use District: \_\_\_\_\_

Existing use of parcel: \_\_\_\_\_

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

- ☐ Construct a new dwelling

The dwelling is a:

- ☐ Single-detached site built dwelling
- ☐ Single-detached manufactured dwelling – Type 1
- ☐ Single-detached ready-to-move
- ☐ 2-unit dwelling
- ☐ Multi-unit – please specify the number of dwelling units \_\_\_\_\_
- ☐ Other \_\_\_\_\_

- ☐ Locate a single-detached manufactured dwelling – Type 2

Unit serial # \_\_\_\_\_

Make \_\_\_\_\_

Model \_\_\_\_\_

Age of dwelling \_\_\_\_\_

- ☐ Alter/renovate the existing building

The renovation is a:

- ☐ Addition
- ☐ Attached garage
- ☐ Deck(s)
- ☐ Secondary suite
- ☐ Other \_\_\_\_\_

- ☐ Construct an accessory building / structure

The accessory building is a:

- ☐ Garage (detached)
- ☐ Shed/workshop
- ☐ Other \_\_\_\_\_

- ☐ Moved-in dwelling

- ☐ Demolish existing building (attach completed **Demolition Form**)

- ☐ Other

[illegible]

## BUILDING REQUIREMENTS

Principal Building		Accessory Building		Office Use
Parcel Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>		
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>		
Height of Building	<input type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		
Proposed Setbacks from Property Lines				
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft		
Parcel Type: <input type="checkbox"/> Interior Lot <input type="checkbox"/> Corner Lot				

**Details of VEHICLE PARKING and ACCESS:**

Show **location** and **number** of all existing and proposed **parking spaces, loading spaces** and **driveways** on the **PLOT PLAN**.

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

**Details of EXTERIOR BUILDING FINISH:**

Describe the type(s) \_\_\_\_\_ and colour(s) \_\_\_\_\_  
of all material used to finish the existing and proposed structure exteriors.

Describe the type(s) \_\_\_\_\_ and colour(s) \_\_\_\_\_  
of all material used to finish the existing and proposed structure exteriors.

**Details of SERVICES:** Indicate as follows: **(A)** = available **(R)** = required

☐ water      ☐ sewer      ☐ septic field      ☐ natural gas      ☐ electricity      ☐ telephone

( ) water      ( ) sewer      ( ) septic field      ( ) natural gas      ( ) electricity      ( ) telephone

## ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m<sup>2</sup>), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are **required** to do the following:

### 1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4.**

### 2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.

# TOWN OF PICTURE BUTTE

## RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

### DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale and north arrow
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Existing residence and/or any other buildings with dimensions of foundation and projections including decks
  - ☐ Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
  - ☐ The proposed distances from the foundation of the building to the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Location of any registered utility right of ways or easements
  - ☐ Location and number of off-street parking spaces
- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of all living space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- ☐ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**
- ☐ **If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.
- ☐ **Application fee payable to the Town of Picture Butte.**
- ☐ Security or performance bond if required by **the Town of Picture Butte** (for prefabricated [manufactured] dwellings, moved-in buildings, etc.).







Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

NON-RESIDENTIAL  
DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent  
☐ Contractor  
☐ Tenant  
☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

**Municipal Address of Development:**

**Legal Description:** Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

**Land Use District:** \_\_\_\_\_

Existing use of parcel: \_\_\_\_\_

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

- ❑ Construct a new building

The building is for:

- ☐ Commercial Use

-  Industrial Use

- Public/Institutional Use

- ☐ Other, specify \_\_\_\_\_

- ☐ Alter/renovate the existing building

- ❑ Construct an accessory building

- ☐ Demolish existing building (attach completed **Demolition Form**)

- ☐ Change or intensification of use (e.g. new type of business in existing building)

**Describe the proposed use, any changes from existing use, and any work to be done.**

[illegible]

## BUILDING REQUIREMENTS

	Principal Building	Accessory Building	Office Use
Parcel Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Height of Building	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Proposed Setbacks From Property Lines			
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot	

### Details of VEHICLE PARKING and ACCESS:

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

### Details of EXTERIOR BUILDING FINISH:

Describe the type(s) \_\_\_\_\_ and colour(s) \_\_\_\_\_ of all material used to finish the existing and proposed structure exteriors.

### Details of SERVICES: Indicate as follows: (A) = available (R) = required

( ) water   ( ) sewer   ( ) septic field   ( ) natural gas   ( ) electricity   ( ) telephone

## ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m<sup>2</sup>), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

#### 1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4.**

## 2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

### DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

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APPLICANT

---

Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.

# TOWN OF PICTURE BUTTE

## NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

### DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale, north arrow and land use district
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Any buildings with dimensions of foundation and projections
  - ☐ The proposed distance from the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Number and location of parking spaces, both on and off-street
  - ☐ Location of any registered utility rights-of-way and easements
  - ☐ Landscaping plan
  - ☐ Lighting plan
  - ☐ Location of fire hydrant, street light, power/telephone/cable pedestal(s) (if located within property frontage)
- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of the space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- ☐ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**
- ☐ **If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.
- ☐ **Application fee payable to the Town of Picture Butte.**
- ☐ Security or performance bond if required by **the Town of Picture Butte** (for moved-in buildings, etc.).





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

## HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Development Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to operate the business until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

### APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## PROPERTY INFORMATION

Municipal Address of  
Home Occupation:

Legal Description:

Lot(s)

Block

Plan

## BUSINESS DESCRIPTION

- (1) Describe the primary function of your business. What goods and/or services are provided? Attach an additional sheet describing the business.
- (2) Is there another home occupation already operating out of the residence? ☐ Yes ☐ No
- (3) Where will the business operate from? ☐ In-home ☐ Accessory building
- (4) How will you interact or do business with your clients or customers?
- ☐ **In person.** Clients/customers will come to the residence. On average, how many clients will come to the residence?
- ☐ Less than 1 per day ☐ 1-5 per day ☐ More than 5 per day
- ☐ **Remotely.** Clients/customers will not be coming to the residence but will only be in contact by:
- ☐ Phone ☐ Fax ☐ Mail ☐ Courier ☐ Internet/Email
- (5) How many on-site parking spaces for any client visits, deliveries, etc. will be available? \_\_\_\_\_
- (6) What will the days of operation be? ☐ Mon-Fri ☐ Weekends ☐ 7 days/wk ☐ Part-time
- (7) What will be the hours of operation? \_\_\_\_\_
- (8) Will there be any employees that are not residents of the dwelling? ☐ Yes ☐ No
- If YES:
- How many employees will come to the residence? \_\_\_\_\_
- Will more than 1 employee come to the residence at a time? ☐ Yes ☐ No
- (9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?
- ☐ Yes (list materials & quantities) \_\_\_\_\_
- ☐ No
- (10) Will any vehicles/machinery/tools be used to operate the business? Please list.
- \_\_\_\_\_
- (11) Will there be any flammable or hazardous materials on the premises as a result of the business?
- ☐ Yes (list materials & quantities) \_\_\_\_\_
- ☐ No
- (12) Will any goods be displayed at the residence? ☐ Yes ☐ No
- (13) Will there be a sign for the business? ☐ Yes ☐ No



## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Home Occupation. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

---

APPLICANT

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Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

## SIGN DEVELOPMENT PERMIT APPLICATION

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Sign Permit Application No.	
Date Deemed Complete	
Tax Roll No.	

**IMPORTANT NOTICE:** This application **does not** permit you to install the sign until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

## APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

City: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property? ☐ Yes☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent☐ Contractor☐ Tenant☐ Other \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

## SIGN INFORMATION

TYPE OF WORK: ☐ New Permanent Sign ☐ Changes to Existing Sign ☐ Temporary Sign

Sign Location (Civic Address): \_\_\_\_\_

Are there any other signs at this location? ☐ Yes ☐ No

If yes, please state how many: \_\_\_\_\_

<b>SIGN TYPE*:</b> <input type="checkbox"/> Temporary <input type="checkbox"/> Canopy <input type="checkbox"/> Window <input type="checkbox"/> Freestanding <input type="checkbox"/> Fascia <input type="checkbox"/> Mural <input type="checkbox"/> Projecting <input type="checkbox"/> Other <small>**Billboard signs are not permitted in the Town</small>	<b>PROJECTION STYLE:</b> <i>Mark any or all that apply</i> <input type="checkbox"/> Lettering / logo <input type="checkbox"/> Manual changeable lettering content <input type="checkbox"/> Electronic changeable lettering content <input type="checkbox"/> Animation <input type="checkbox"/> Movement / rotation	<b>ILLUMINATION:</b> <i>Mark any or all that apply</i> <input type="checkbox"/> No illumination <input type="checkbox"/> Direct illumination <input type="checkbox"/> Internal illumination <input type="checkbox"/> Flashing
---	--	--

		<i>Office Use</i>
Length of Sign:	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Height of Sign:	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> ft <sup>2</sup>	
Sign Face Area (length x height):	<input type="checkbox"/> m <input type="checkbox"/> ft	
Top of Sign Height:		
from Grade:	<input type="checkbox"/> m <input type="checkbox"/> ft	
from Roof:	<input type="checkbox"/> m <input type="checkbox"/> ft	

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed? \_\_\_\_\_ days

Is the sign a portable sign type ☐ Yes, or ☐ Other (describe) \_\_\_\_\_

## SITE PLAN

**\*\*Please attach a plan drawn to a suitable scale and photographs, if available, illustrating:**

- ☐ Location of all existing and proposed sign(s) on the property
- ☐ Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- ☐ Details of sign content (wording, lettering, graphics, colour and design scheme, materials, etc.)
- ☐ Location of the property boundaries of the parcel upon which the proposed sign(s) are to be located
- ☐ Setbacks from property lines of proposed sign(s) and existing building(s)

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.



**Town of Picture Butte**  
Box 670, Picture Butte, AB T0K 1V0

**DEMOLITION PERMIT APPLICATION**

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Application No.	
Date Deemed Complete	
Tax Roll No.	

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

**PROPERTY INFORMATION**

Municipal Address of Development: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Land Use District: \_\_\_\_\_

Existing use: \_\_\_\_\_

**DEMOLITION/REMOVAL INFORMATION**

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

**STRUCTURES TO BE REMOVED**Description of Building/Structure(s) \_\_\_\_\_  
\_\_\_\_\_

Type of Work ☐ Removal to another site (no demolition) ☐ Demolition of building/structure

Building/Structure Size \_\_\_\_\_ ☐ m<sup>2</sup> ☐ ft<sup>2</sup>

Height of Building \_\_\_\_\_ ☐ m ☐ ft # of storeys \_\_\_\_\_

#### DEMOLITION PLAN

Timeframe Expected start date: \_\_\_\_\_ Expected completion date: \_\_\_\_\_

Method of Demolition ☐ Manual (no heavy equipment) ☐ Using heavy equipment ☐ Other – please explain \_\_\_\_\_

Dump/Landfill Site  
Location \_\_\_\_\_

**\*\*Note:** Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment.\*\*

Name of Contractor responsible for removal/demolition \_\_\_\_\_

#### DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.

## APPLICANT IS RESPONSIBLE FOR:

- ☐ **Disconnection of all services** including (if applicable):      Signature from agency verifying services disconnected (or attach letter):
- |  |       |
|--|-------|
| <input type="checkbox"/> Electrical power                          | _____ |
| <input type="checkbox"/> Natural gas                               | _____ |
| <input type="checkbox"/> Oil lines                                 | _____ |
| <input type="checkbox"/> Telephone cables                          | _____ |
| <input type="checkbox"/> Communications cables (includes cable TV) | _____ |
| <input type="checkbox"/> Water lines                               | _____ |
| <input type="checkbox"/> Storm & sanitary sewer                    | _____ |
| <input type="checkbox"/> Septic (if applicable)                    | _____ |
- ☐ **On-site consultation with Public Works Director.** The applicant shall schedule a consultation with the Public Works Director a minimum of 48 hours prior to demolition or removal commencing to determine the state of affected public property.
- ☐ **Final plan for property after building removed or demolished and reclamation complete.** As applicable:
- ☐ **Copy of grading plans** if property will be vacant after removal or demolition
  - ☐ **Complete development application for new development** where building is being replaced
- ☐ **A completed Development Application.** This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.
- ☐ **Application Fee and any applicable deposit or security required payable to the Town of Picture Butte.**

**\*\*NOTE:** A building permit is also required before proceeding with demolition.







Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

APPLICATION FOR A  
LAND USE BYLAW AMENDMENT

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Bylaw No.	
Date Deemed Complete	

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.

**IMPORTANT NOTE:** Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

**APPLICANT INFORMATION**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Municipality: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Is the applicant the owner of the property?

☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent

☐ Contractor

☐ Tenant

☐ Other \_\_\_\_\_

Municipality: \_\_\_\_\_

Postal Code: \_\_\_\_\_

**PROPERTY INFORMATION**

Municipal Address: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

OR Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

## AMENDMENT INFORMATION

What is the proposed amendment?

☐ Text Amendment

☐ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments to the *Land Use Bylaw*, **attach** a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation: \_\_\_\_\_

Proposed Land Use Designation  
(if applicable): \_\_\_\_\_

☐ Map Attached

Section 51 of the *Land Use Bylaw* regulates the information required to accompany an application for redesignation. Please attach a descriptive narrative detailing:

- the proposed designation and future land use(s);
- if and how the proposed redesignation is consistent with applicable statutory plans;
- the compatibility of the proposal with surrounding uses and zoning;
- the development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land from Urban Reserve to another district;
- multiple parcels of land are involved;
- several pieces of fragmented land are adjacent to the proposal;
- internal public roads would be required;
- municipal services would need to be extended; or
- required by Council or the Subdivision and Development Authority.

The Designated Officer or the Subdivision and Development Authority may also require a:

- geotechnical report; and/or
- evaluation of surface drainage and any other information

if deemed necessary.

## SITE PLAN

Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. Council may request additional information.

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

---

APPLICANT

---

Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.





Town of Picture Butte  
Box 670, Picture Butte, AB T0K 1V0

TELECOMMUNICATION SITING PROTOCOL  
APPLICATION & CHECKLIST

Date of Application: \_\_\_\_\_

FOR OFFICE USE ONLY	
Date Deemed Complete	
Land Use District (zone)	

APPLICANT INFORMATION

Name of Applicant

(please print): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone (primary): \_\_\_\_\_

Phone (alternate): \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

☐ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property?

☐ Yes

☐ No

IF "NO" please complete box below

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Applicant's interest in the property:

☐ Agent

☐ Contractor

☐ Tenant

☐ Other \_\_\_\_\_

PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description:

Lot(s) \_\_\_\_\_

Block \_\_\_\_\_

Plan \_\_\_\_\_

Land Use District: \_\_\_\_\_

What is the existing use? \_\_\_\_\_

## DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel?

---

---

What will the tower/antenna be used for?

---

---

Are there any other antenna towers located within 800 metres (0.5 miles) of the subject proposal? (If yes, describe what the other tower is used for, who the operator is, and provide a map identifying the location.)

---

---

Is Co-utilization with existing antenna systems proposed? If not, explain why not.

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---

---

## TOWER SIZE

Overall tower height \_\_\_\_\_ ☐ m ☐ ft

Commencement Date: \_\_\_\_\_

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

The personal information provided as part of this application is collected under section 39 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. If you have any questions about the collection or use of the personal information provided, please contact the Chief Administrative Officer at the Town of Picture Butte.

**TOWN OF PICTURE BUTTE**  
**TELECOMMUNICATION SITING PROTOCOL**  
**APPLICATION & CHECKLIST**

**TELECOMMUNICATION SITING PROTOCOL CHECKLIST**

**A COMPLETED APPLICATION REQUIRES:**

1. A complete Telecommunication Siting Protocol Application filled out, with the site plan attached
2. A completed checklist
3. Non-refundable application fee
4. Signature of ALL landowners (whose land the proposal will be located on)
5. Any additional information requested by the Development Authority

NOTE: For any proposal which includes uses, buildings or structures in addition to the antenna system, the applicant is required to obtain a development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw. In such a case, a separate development permit application must be filled out and submitted to the town.

**CHECKLIST INFORMATION:**

- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed, the Town of Picture Butte will either:
  - Issue a municipal concurrence letter to the applicant, or
  - Issue a letter which outlines the municipality's concerns and/or conditions to the applicant and Industry Canada.
- Construction permits may be required for buildings/tower foundations, plumbing, private sewage systems, and gas or electrical installations.

FEES	
<b>A. An administrative fee of <u>\$200.00 plus</u> the following additional fees if required (whichever is applicable):</b>	
<b>B.</b> Copying and distribution of required notification letters	\$1.50/letter
<b>C.</b> Distribution (only) of required notification letters	\$1.00/letter
<i>If the applicant can prove that notification to all required adjacent landowners has been done, then no B or C fee is required. If a special meeting of the Development Authority is requested, there may be additional fees in accordance with the bylaw.</i>	
For fees not listed here, please see the full Fee Schedule of the bylaw.	

**TOWN OF PICTUTE BUTTE**  
TELECOMMUNICATION SITING PROTOCOL  
APPLICATION & CHECKLIST

## CHECKLIST

Please attach a description of the project summarizing the information required in the following table.

REQUIREMENT	YES OR NO	SUBMITTED? YES, NO OR N/A
<b>Co-utilization:</b> Are there any other such structures within a radius of <b>800 metres (0.5 miles)</b> of the proposed location?		
<b>If YES</b> , please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure.		
<b>Stealth Structure Options/Screening:</b> If this structure will be visible from residential areas stealth structure options may be required to be used and a description of the stealth structure options must be submitted to the satisfaction of the Town.		
<b>Lighting and Signage:</b> Is there additional lighting planned in addition to what is required by federal agencies? Please provide a description of all lighting, required or not required.		
What signage will be used? Please describe. (Note: No advertising signage shall be permitted.)		
<b>Notification &amp; Public Consultation Process:</b> All landowners within a distance of 500 m (1,640 ft.) from the proposed structure must be notified. Please provide a letter that the Town can circulate on your behalf.		
The fee for copying and distributing these letters is \$1.50/letter. _____ x <u>\$1.50/letter</u> = _____ total  The fee for only distributing these letters is \$1.00/letter. _____ x <u>\$1.00/letter</u> = _____ total  <u>Plus</u> , an administrative fee of \$200.00.  <i>If a special meeting of the Development Authority is requested, there may be additional fees in accordance with the Town's fee bylaw.</i>		



## Appendix C

### **Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol**



# Appendix C

## TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCAST ANTENNA SYSTEMS AND SUPPORTING STRUCTURES (ANTENNA SYSTEMS) SITING PROTOCOL

### 1. PURPOSE

This Appendix serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems and supporting structures (antenna systems) in the Town of Picture Butte. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the Town of Picture Butte's preferred development and design standards.

### 2. APPLICABILITY

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Industry Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Industry Canada.

The local protocol established in this Appendix applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system and supporting structures within the Town of Picture Butte which is not excluded from the consultation requirements established by Industry Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the Town of Picture Butte to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in section 5 of this Appendix.

#### (a) Antenna Systems Siting Protocol Exclusion List:

- i. Industry Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Industry Canada's publication, *Radiocommunication and Broadcast Antenna Systems CPC-2-0-03* lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the Town of Picture Butte Land Use Bylaw, Appendix A, Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures Siting Protocol, which currently include:
  - maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;

- addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, as is removed within 3 months after the emergency or special event; and
- new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the Town of Picture Butte or Industry Canada for guidance.

### **3. MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE**

- (a) The Town of Picture Butte's Development Authority (MPC) shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the Town of Picture Butte which are not excluded under section 2 of this Appendix.
- (b) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in section 5 of this Appendix, applicable policies of the Town of Picture Butte Municipal Development Plan, and consideration of comment received during the public consultation process (section 7 of this Appendix) and any other matter deemed relevant by the Development Authority:
  - i. when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision and any conditions;
  - ii. when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (c) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the land use bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw.

### **4. MUNICIPAL REVIEW PROCESSING PERIOD**

- (a) Except as provided in subsection (b), the Development Authority will issue a decision of either concurrence or non-concurrence within 60 days of receiving a complete application package.

- (b) The 60 day processing time period may be extended by the proponent or the Town of Picture Butte, through mutual consent.

## **5. DEVELOPMENT AND DESIGN STANDARDS**

Co-utilization of existing antenna systems is the preferred option within the Town of Picture Butte. However, if co-utilization is not possible, the Town of Picture Butte requests that the following development and design standards be adhered to:

### **(a) Public Roadway Setbacks**

- i. An antenna system (including any support structures) proposed within town should be placed no closer than 25 feet (7.62 m) from the property line abutting the public road. A lesser setback may be considered at the discretion of the Development on a site-specific basis.

### **(b) Lighting and Signage**

- i. Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.
- ii. The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

## **6. APPLICATION SUBMITTAL REQUIREMENTS**

- (a) Proponents are encouraged to contact the Town of Picture Butte in advance of making their submission to obtain information about the Town's Antenna Systems Siting Protocol and identify any preliminary issues or concerns.
- (b) The following application package shall be submitted to the Town of Picture Butte for consideration of a proposed antenna system:
  - i. a completed Telecommunication Antenna Siting Protocol application, including site plan;
  - ii. the prescribed fee, as set in the Town of Picture Butte Appendix or Development Permit Fees;
  - iii. a description of the type and height of the proposed antenna system and any supporting structures;
  - iv. the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
  - v. documentation regarding potential co-utilization of existing towers within 800 metres (0.5 miles) of the subject proposal; and
  - vi. any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.

- (c) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures. For such proposals, the following shall be submitted in addition to the requirements of 6(b):
  - i. a completed development permit application;
  - ii. the prescribed fee, as set in the Town of Picture Butte Schedule of development Fees.

## **7. NOTIFICATION AND PUBLIC CONSULTATION PROCESS**

- (a) Upon receipt of an application package, the Development Authority shall review the application for completeness and, if deemed complete, will:
  - i. schedule a date for a public development hearing to be held by the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;
  - ii. notify the proponent and/or representative of the antenna system of the development hearing date;
  - iii. post a notice of the development hearing in a newspaper in accordance with section 32 (1)(b) of the land use bylaw; and
  - iv. notify by mail persons likely to be affected by the proposal of the development hearing date in accordance with section 32 of the land use bylaw, including:
    - a. landowners within 500 m (1,640 ft.) of the proposed antenna system;
    - b. any review agencies deemed affected, as determined by the Development Authority;
    - c. any other persons deemed affected, as determined by the Development Authority.
  - d. The notifications must be sent 19 days prior to the public meeting date.
- (b) The proponent or a representative of the antenna system(s) proposal should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.

## Appendix D

### Planning Bylaws





# TOWN OF PICTURE BUTTE

## BYLAW NO. 724/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AUTHORITY.**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

**AND WHEREAS** the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw maybe cited as the Town of Picture Butte Subdivision Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

1. For the purpose of this Bylaw, the Subdivision Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for subdivision approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.

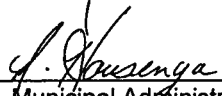
MOVED by Councillor H. Nummi that Bylaw #724/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that Bylaw #724/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor S. Koenen that permission be granted to give third reading to Bylaw #724/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor E. Anderson that Bylaw #724/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 725/95

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL DEVELOPMENT AUTHORITY.**

**WHEREAS** the , Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Development Authority;

**AND WHEREAS** the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal Land Use Bylaw;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Development Authority Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

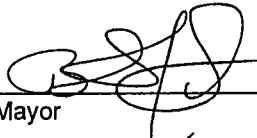
1. For the purpose of this Bylaw, the Development Authority for the Town of Picture Butte shall be the Town of Picture Butte Municipal Planning Commission as established by Bylaw No. 516/79.
2. The Municipal Planning Commission may refer any application for development approval to Council for a decision.
3. This Bylaw comes into force on the final passing thereof.


MOVED by Councillor H. Nummi that Bylaw #725/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that Bylaw #725/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor A. Vance that permission be granted to give third reading to Bylaw #725/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Ruaben that Bylaw #725/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator



# TOWN OF PICTURE BUTTE

## BYLAW NO. 726/95

### BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**WHEREAS** the Municipal Government Act, Chapter M-26.1, 1994, and amendments, requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board;

**AND WHEREAS** the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS** this Bylaw may be cited as the Town of Picture Butte Subdivision and Development Appeal Board Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

1. **DEFINITIONS:**

- (a) **Act** means the Municipal Government Act, Chapter M-26.1, 1994, and amendments.
  - (b) **Municipality** means the Town of Picture Butte in the Province of Alberta.
  - (c) **Council** means the Council of the Town of Picture Butte.
  - (d) **Subdivision and Development Appeal Board** means the tribunal established to act as the municipal appeal body.
  - (e) **Member** means a member of the Subdivision and Development Appeal Board.
  - (f) **Secretary** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - (g) **All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, and amendments.**
2. For the purpose of this Bylaw, the Subdivision and Development Appeal Board shall be composed of not more than three persons who are adult residents of the Town of Picture Butte.
3. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.

**Bylaw #726/95**

4. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three years.
5. The members of the Subdivision and Development appeal Board shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
6. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, traveling, and living expenses as may be fixed from time to time by Council; and the remuneration, traveling, and living expenses shall be paid by the Town of Picture butte.
7. The Municipal Administrator or Assistant Municipal Administrator shall be appointed as secretary and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
8. The Subdivision and Development Appeal Board shall hold meetings as required and may also hold special meetings at any time at the call of the Chairman.
9. Three of the members of the Subdivision and Development Appeal Board constitute a quorum.
10. There shall not be a majority of municipal councillors sitting to hear any individual appeal.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
12. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
13. The Subdivision and Development Appeal Board may make rules to govern its hearings.
14. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
15. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
16. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision and Development Appeal Board;

**Bylaw #726/95**

- (e) notes as to each representation;
- (f) the names and addresses of those making representations at the meeting;
- (g) the decision of the Subdivision and Development Appeal Board;
- (h) the reasons for the decision of the Subdivision and Development Appeal Board;
- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

17. This Bylaw hereby rescinds Bylaw #517/79.

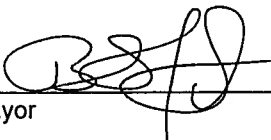
18. This Bylaw comes into force on the final passing thereof.

MOVED by Councillor H. Nummi that Bylaw #726/95 be read a first time this 15th day of November, 1995. CARRIED.

MOVED by Councillor E. Anderson that Bylaw #726/95 be read a second time this 15th day of November, 1995. CARRIED.

MOVED by Councillor V. Nemecek that permission be granted to give third reading to Bylaw #726/95 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor S. Koenen that Bylaw #726/95 be read a third time and finally passed this 15th day of November, 1995. CARRIED.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator





## SCHEDULE 'B'

### DIRECT CONTROL – DC BYLAW NO. 844-16

**INTENT:** To provide a means whereby Council may regulate and control the use, development, or subdivision on a site specific basis to the following lands: **Plan 8774HS, Block L** (333 - Cowan Avenue South) as shown on Schedule 'A'. For the specific purposes of allowing a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.

The development allowed is based on the plans as approved by Council in consideration of the constraints of the site, compatibility with adjacent public, institutional and residential land uses, and on the basis the development does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

#### 1. PERMITTED AND DISCRETIONARY USES

Only those uses associated with the development of a medium-density adult community housing cluster and as outlined as follows:

##### PERMITTED USES

Attached garages  
Semi-detached dwellings: Site built  
Signs Type 1 (in accordance with Part 5)  
Solar collectors roof-mount, individual (see Part 4)

##### DISCRETIONARY USES

Accessory buildings and structures  
Accessory uses

##### PROHIBITED USES

- ♦ *Any use which is not listed as either a Permitted or Discretionary Use is a Prohibited Use, unless otherwise authorized by Council.*

In addition to those prescribed above, any use Council considers suitable may be considered.

#### 2. MINIMUM LOT SIZE

The minimum lot size shall be as the existing title for Plan 8774HS, Block L, or 1.595 acres.

#### 3. MINIMUM YARD SETBACK REQUIREMENTS

Front yard – 6.1 m (20 ft.) (4<sup>th</sup> Street South considered primary and Cowan Avenue considered secondary front)

Secondary Front yard - 3.05 m (10 ft.) (Cowan Avenue considered secondary front)

Side yard – 1.5 m (5 ft.) (south and east property lines are considered a side yard)

#### **4. MAXIMUM DENSITY AND SITE COVERAGE**

- (1) The maximum number of dwelling units is 7 semi-detached residential units.
- (2) The maximum site coverage for all principal and accessory buildings combined is 50%.

#### **5. ACCESSORY BUILDINGS AND STRUCTURES**

- (1) Any accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- (2) An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

#### **6. STANDARDS OF DEVELOPMENT**

As Council, or the Development Officer acting as the Development Authority, considers necessary having regard to Part 4.

#### **7. SIGNS**

Only those signs associated with the formal name of the housing development, addressing, or directional signage, as Council, or the Development Officer acting as the Development Authority, considers necessary and compatible, having regard to Part 5.

#### **8. OTHER STANDARDS**

As Council requires.

#### **9. APPROVAL PROCEDURE**

- (1) Before Council, or the Development Officer acting as the Development Authority as assigned by Council, considers an application for a use in the Direct Control district, they shall:
  - (a) cause notice to be issued by the Development Officer in accordance with Part 1, Section 33;
  - (b) hear any persons who claim to be affected by a decision on the application.
- (2) Council, or the Development Officer acting as the Development Authority, may then approve the application with or without conditions, or refuse the application.

#### **10. OTHER REQUIREMENTS (AS MAY BE REQUIRED BY COUNCIL)**

- (1) **Site, Layout, and Grading Plan** – that shows the property dimensions, building size and locations, outdoor storage areas, parking areas, utility easements, elevations and servicing areas.
- (2) **Landscaping Plan** – that shows the front yard landscaping and fencing (height and type) on the property.



- (3) **Refuse or Garbage** – shall be located and kept in a municipally approved/supplied container as per the Town of Picture Butte utility policy, and set out by landowners for collection on pick-up day as schedule by the town.
- (4) **Servicing** – the developer shall be responsible for ensuring all required municipal servicing is provided for the development, including water, sewage and drainage.
  - (a) Shallow utilities (e.g. gas, electricity, fibre optics, phone) as required shall also be provided by the developer to the municipality's or utility agencies' standards.
  - (b) Any utility right-of-ways or access easements as required shall be provided by the developer to the satisfaction of the Town of Picture Butte.
- (5) **Roads/Access/Parking**
  - (a) Public road access/egress to the parcel will be limited to a single existing access point to Cowan Avenue from a private roadway access that serves the condominium development.
  - (b) Physical access from the east may only be permitted provided that the developer obtains approval from the adjacent landowner regarding obtaining access over their private land title via an easement agreement.
  - (c) Parking for visitors must be delineated on site and meet the size standards of the Land Use Bylaw.
  - (d) Vehicle parking is to be prohibited on or adjacent to the internal private access roadway. Parking is to occur on personal driveways associated with semi-detached units, within garages, and in the delineated visitor parking area.
- (6) **Development Agreement** – the developer shall enter into a development agreement with the Town of Picture Butte to satisfy any servicing requirements or standards as stipulated by the Town. All servicing and maintenance of the site shall be the responsibility of the condominium association which is to be stipulated in the development agreement and association's bylaws as deemed necessary.
- (7) **Condominium Association** – the developer shall prepare to the town's satisfaction, a copy of a condominium association bylaw that outlines the roles and responsibilities of the owners and also defines the area and elements of the property to be managed by the association.
- (8) **Site Plan** – the development may only be approved in accordance with overall conformity to the associated site plan as approved by town Council.

## **11. SUBDIVISION**

- (1) Notwithstanding the provisions of this bylaw, subdivision is limited to the form of a bare land condominium plan to enable private dwelling unit ownership which conforms to the area of land designated to the Direct Control district, applicable to Plan 8774HS, Block L.
- (2) The Municipal Planning Commission, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

## **12. DELEGATION OF AUTHORITY**

- (1) Council shall be the Development Authority to decide on development permit applications for the discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- (2) The Development Officer, in accordance with Part 1 Section 35 of the Land Use Bylaw and pursuant to section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon development permit applications for permitted uses provided they conform to the standards of the bylaw.

## **13. APPROVAL PROCEDURE**

- (1) Where the Development Officer as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- (2) Before consideration of a development permit application for a proposal requiring waivers or discretionary use on the subject property, Council shall:
  - (a) cause a notice to be issued by the designated officer to any person likely to be affected;
  - (b) ensure that the notice contains the date and time that council will hear the application for discretionary uses or application for waivers of development standards;
  - (c) hear any person that claims to be affected by the decision on the application;
  - (d) Council may then approve the development application with or without conditions or refuse the application with reasons.
- (3) Where Council has made a decision on a development permit application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the town office.

## **14. APPEAL PROCEEDURE**

- (1) Pursuant to section 641(4)(a) to the Municipal Government Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- (2) If the Development Officer has been delegated the authority to decide upon development permit application as the Development Authority, then the appeal to the Subdivision and Development Appeal Board is limited to whether the Development Officer followed the direction of Council.



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 January 14, 2018 H:\Leatheridge-County\Picture Butte\Picture Butte LUD & Land Use Redesignations\Picture Butte Bylaw 844-18, Block L, Plan 8774HS.dwg



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 844-16**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to redesignate a portion of lands located at **333 - Cowan Avenue South and legally described as Plan 8774HS, Block L containing approximately 1.595 acres more or less from "Residential Multi-unit - R5" to "Direct Control - DC"** as shown on the Map in Schedule 'A'.

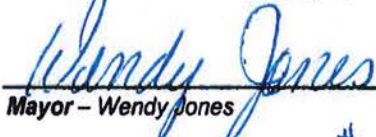
AND WHEREAS the purpose of the proposed amendment is to allow for a medium-density adult community housing development (known as Autumn Estates) in the form of a bare land condominium plan to enable private dwelling unit ownership.

AND WHEREAS the proposed amendment includes the specific land use district standards applicable to the parcel of land and development as illustrated in Schedule 'B'.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands, described as **Plan 8774HS, Block L containing approximately 1.595 acres** as shown on Schedule 'A', be redesignated from "Residential Multi-unit - R5" to "Direct Control - DC".
2. The Land Use District Map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. The specific land use district standards for the Direct Control district be added into Land Use Bylaw No. 841-15, as provided in Schedule 'B'.
4. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.

READ a first time this 8<sup>th</sup> day of February, 2016.

  
Mayor - Wendy Jones

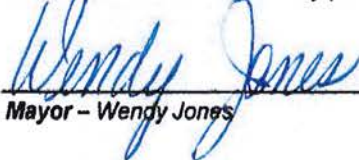
  
Chief Administrative Officer - Larry Davidson

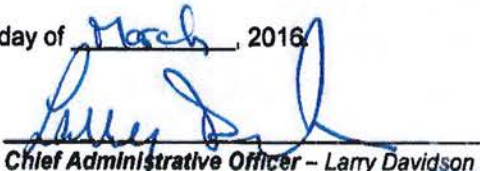
READ a second time this 14<sup>th</sup> day of March, 2016.

  
Mayor - Wendy Jones

  
Chief Administrative Officer - Larry Davidson

READ a third time and finally passed this 14<sup>th</sup> day of March, 2016.

  
Mayor - Wendy Jones

  
Chief Administrative Officer - Larry Davidson

RECEIVED

MAR 22 2016

SH/MK/LBJ

# TOWN OF PICTURE BUTTE

## BYLAW NO. 846-16

A BYLAW OF THE TOWN OF PICTURE BUTTE to update and rescind the attached bylaws for the purpose of updating our bylaw directory.

WHEREAS Council wishes to maintain an up to date directory of municipal bylaws; and

WHEREAS Council wishes to rescind outdated bylaws, which are no longer enforced; and

NOW THEREFORE, pursuant to Section 63(2) (b) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

That the following Bylaws be rescinded.

2A/43	Shop closing bylaw - exceptions blacksmiths welders
5/44	Council honourarium
13/44	Tax penalty
18/44	Consolidation of Payment of taxes
28/45	Exemption of assessment & Taxes
34/	missing -
37/	missing -
40/48	LUB and all amendments
74/48	carrying of firearms within village
85/49	Fire Prevention - amended by bylaw 288
91/49	magazine solicitors
100/50	Minimum municipal tax
105/51	Sidewalks - snow, ice removal
110/52	settlement agreement between Town & Angus McMillan
149/56	Tax exemption - School properties in excess of 4 acres
159/56	Tax exemption - Roman Catholic Church
160/56	Tax exemption - Jesus Christ Latter Day Saints
167/57	Water Service Charge - Reconnection Fee
175/57	Meat Inspections of all slaughtered animals
185/58	Establish Parks & Recreation Commission 491/77 did not repeal
196/59	Establish a Dr. & Hospital Plan for civic employees
229/61	Council honourarium
250/61	Establish a Civil Defence & Disaster Org.
255/62	Water discount rates
260/62	Requirement to install water meters in all buildings within Town
262/62	Gas protection Branch - Gas Inspections
266/62	Collection of Water & Penalties
269/62	Court of Revision (payment of Board members)
275/63	Water & Sewer Connection Fee
280/63	Use of Raw Water for Irrigation
286/62	Dog Control - amendment to 258/62
288-64	Fire Prevention amendment to 85/49
293/64	Fluoridation of water
300/64	Establish Emergency Measures Unit
301/65	Requirement of property owners to connect to municipal services
302/65	Nuisance Bylaw
352/68	amendment to bylaw 118/52 & 119/52 re: frontage rates
357/68	Council honourarium
373/69	Missing
374/69	Missing
378/69	Garbage collection service established
381/69	Alberta Lord's Day Act
387/70	Licensing of mobile homes





403/71	Restriction & control of poultry & livestock in Town limits
404/71	Emergency Measures Unit
406/71	Frontage Tax fee on Centennial Ave.
412/71	Littering
417/72	Missing
419/73	Amends 378/69 - Fees for garbage collection
421/73	Missing
427/73	Licensing of Billiard Rooms
432/74	Missing - reference to line connection
433/74	Environmental project with AB Priority Employment
453/75	Establish frontage rates for Piron Place & Gibbons Ave.
464/76	Establish frontage rates for 5A St., Gibbons Ave., 7St. N, 7A St.
468/76	Canadian Western Natural Gas agreement - Renewed but was not rescinded by bylaw 644-87
478/77	Agreement between Town & Minister of Environment re: water works assistance
491/77	Establish a Regional Recreation Board
509/78	Utility Rates - amends 455 & 465/76
512/80	Dog Control - amends 476/76
520/80	Water & sewer Services - no rates but operational issues
527/80	Licensing fees for mobile home subdivisions
528/80	Authority to enter into agreement with AB government re: water treatment assistance programs
529/80	Utility Rates
539/80	Establishment of a joint airport Committee with County of Lethbridge
549/81	Establish frontage taxes for 4th St. N.
559/81	amend bylaw 491/77 Regional Rec Board to include Coalhurst
562/81	Tax discounts & 9% Penalties
584/83	Establish 1/1/2% interest charges
588/83	Remove Coaldale from Regional Recreation Board
595/83	Prepayment discount of 6% for taxes
602/84	Business Tax bylaw 572/84 amendment
608/84	Establish penalties for non-payment of utilities
625/85	Missing
629/86	Appoint Janet Dickout as CAO
630/86	Amend probationary period of Janet Dickout
636/86	Amend 624/86 Regional Landfill change authority to "Association"
644/87A	Forbid use of stoplights & arms at high school & St. Catherines
644/87	Electric franchise agreement - Renew TransAlta Utilities agreement
646/87	Amend Fire Bylaw re: sale and use of Fireworks
654/88	Establish a Tourism Action Committee
655/88	Emergency measures Unit
656/88	Missing
669/90	Missing
671/90	Missing
677//91	Appointment of Nona Trenerry as CAO
700/93	Tax Certificates - fees
713/94	Utility Rates
720/95	Safety Codes Joint Accreditation
726/95	Est. Subdivision Development Appeal Board
750/98	Elections Bylaw                      Provincial legislation for Municipal elections
760/99	Discounts and Penalties on taxes
763/00	Smoking Bylaw
772/01	Missing
774/01	Enter into an agreement with Utilicorp for electrical distribution
783A/04	Establish the position of Assessor - Designated Position
790/05	Creation of Bylaw officer position with Barons
817/09	School bus bylaw
744/97	Curfew Bylaw
796/06	Smoking Bylaw



This Bylaw shall come into effect on the final day of passing thereof.

MOVED by Councillor de Kok that Bylaw No. 846-16 be read a first time this 22nd day of February 2016.

MOVED by Councillor Watson that Bylaw No. 846-16 be read a second time this 22<sup>th</sup> day of February 2016.

MOVED by Councillor Feist to allow third reading of Bylaw No. 846-16.

MOVED by Councillor de Kok that Bylaw No. 846-16 be read a third time this 22<sup>nd</sup> day of February 2016.

Town of Picture Butte

Wendy Jones  
Mayor

Harry R. L.  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 848-16**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to regulate the use and siting of shipping containers (c-containers or sea containers) being modified for storage and personal use within specific residential land use districts of the municipality, as described in Schedule A.

AND WHEREAS the general purpose of the proposed amendment is to address the following:

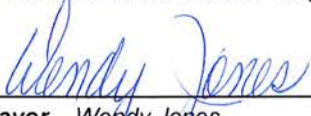
- Add to the residential land use districts R1, R3 and R5 "Shipping container (modified/converted)" as a Discretionary Use Type A, and add a definition of "Shipping container (modified/converted)";
- Add to each of the residential land use districts (R1, R3 & R5), Accessory Buildings section references to the structures being considered an accessory building that must meet the stipulated accessory building and structures setbacks of the bylaw; and,
- Add to Part 4, Standards of Development, Section 40 of the land use bylaw, specific standards and regulations applicable to Shipping Containers (modified/converted), as described in Schedule A.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 848-16 to include the Shipping containers (modified/converted) amendments as described in the attached Schedule A.
2. Bylaw No. 848-16 shall come into effect upon third and final reading thereof.
3. Bylaw No. 848-16 is hereby adopted.

READ a **first** time this 9<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones


  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson


READ a **second** time this 13<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

READ a **third** time and finally PASSED this 13<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Mayor – Wendy Jones

  
\_\_\_\_\_  
Chief Administrative Officer – Larry Davidson

## **SCHEDULE A - BYLAW NO. 848-16**

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### **Add to residential land use districts – R1, R3 and R5**

“Shipping container (modified/converted)” as a Discretionary Use Type A.

### **Add to each of the residential land use districts (R1, R3 & R5), Accessory Buildings section:**

Add reference to Shipping container (modified/converted) being considered an accessory building and must meet the stipulated accessory building and structures setbacks of the bylaw.

### **Add definition to bylaw:**

**Shipping container (modified/converted)** means any metal container that was used for transport of goods by means of rail, truck or by sea (commonly referred to as a shipping container, c-container, cargo container or sea-container) and whereas the container is used modified for a purpose other than transporting freight, such as static or permanent storage on a parcel of land as an accessory use. In such instances, a modified/converted shipping container shall be considered a building and is subject to the standards and requirements of the Land Use Bylaw. This use does not include transport reefer containers from a transport truck, or shipping containers being modified for residential use.

### **Add to Part 4, Standards of Development, Section 40:**

#### **(5) Shipping Container (modified/converted)**

- (1) Shipping containers (modified/converted) shall only be allowed for accessory storage uses and in the land use districts where they are listed as a discretionary use in Part 2 – Land Use Districts and Regulations.
- (2) A development that proposes to physically alter, structurally modify or convert a shipping container to use as a building or structure for a use other than cargo transport, such as storage, may be considered by the Development Authority subject to the following:
  - (a) All shipping containers (modified/converted) must apply for and receive a development permit approval in order to be sited on a parcel of land, including those that are less than 9.29 m<sup>2</sup> (100 sq. ft.) in area.
  - (b) An application for a development permit for a proposed shipping container (modified/converted) must be completed and submitted to the Development Authority along with the appropriate application fee. At least two recent colour photographs of each container (one end view and one side view) must accompany the application along with clearly detailed plans illustrating how the container will be modified and what its final finished appearance will be.
  - (c) There shall be a primary or principal building existing on the property where the shipping container (modified/converted) is proposed to be sited.
  - (d) All shipping containers (modified/converted) shall be considered as an accessory or secondary type building or structure in accordance with the bylaw and the district standards. These accessory structures must meet all requirements of the Town of Picture Butte Land Use Bylaw (i.e. height, size, setbacks and site coverage).
  - (e) The site coverage must not exceed the maximum lot site coverage (inclusive of all accessory building or structure on the parcel) as stipulated in the applicable land use district. In any instance, the maximum size of a modified shipping container shall not exceed 6.1 m (20 ft.) in length and 14.86 m<sup>2</sup> (160 Sq. ft.) overall in area.

- (f) A shipping container (modified/converted) must be located in the rear yard only, and the rear and side yard setback requirements shall be regulated by the Development Authority and the prescribed accessory building standards of the applicable land use district.
- (g) No more than one shipping container (modified/converted) shall be permitted on a residential lot.
- (h) To ensure that the design, character and appearance of the finished shipping container (modified/converted) building is compatible with other buildings in the vicinity and that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located, the Development Authority shall require that any shipping container (modified/converted) be subject to the following conditions of approval. The shipping container (modified/converted) must:
  - (i) be sided on a minimum of three sides (non-door sides) with the same or complimentary exterior material (acceptable siding materials are vinyl, Hardy-plank or smart board, wood, shakes) and similar or complimentary colour as the principal building;
  - (ii) be completely painted on the opening doors side, if not required to be sided, to match the colour of siding being installed on the other three sides of the container;
  - (iii) be modified to have a sloped roof (of a hip, gable, or gambel type) with a minimum 3/12 pitch. The roof must be shingled and finished in material acceptable to the Development Authority such as wood shake, fibre cement, asphalt, or composite shingle;
  - (iv) be constructed in a manner that includes the roof and siding being securely strapped/fastened to the structure to withstand strong winds and the applicant must have it inspected by a certified building inspector to demonstrate it complies to all building code requirements;
  - (v) be modified to add functional gutters and downspouts;
  - (vi) be placed on a sound, level solid base and in accordance with standard building construction and building code requirements; and
  - (vii) be able to meet all applicable provincial building and safety code requirements.
- (i) Notwithstanding other sections of the bylaw stipulating development permit completion timeframes, a development permit approval for a shipping container (modified/converted) must be completely modified and finished within 120 days of the issuance of the permit.
- (j) A shipping container (modified/converted) shall not display advertising, company logos, names or other marketing.
- (k) The Development Authority shall require as a condition of approval the posting of a security deposit guaranteeing compliance with the conditions of the permit. The security deposit shall be provided in the amount of \$10 per sq. ft. based on the total area size of the container or accessory building, as required at the discretion of the Development Authority. The deposit shall only be returned to the applicant at their request, once the conditions of the development permit have been met to the determination and satisfaction of the Development Authority.
- (l) The applicant is responsible for obtaining any provincially required building or safety code permit required for the modification of a shipping container (modified/converted) and the municipality may, as a condition of approval, require that a copy of any inspection report or permit approval be filed with the municipal town office.
- (m) The Development Authority may, as a condition on a development permit approval, require the applicant to provide to the satisfaction of the Development Authority an engineering report prepared by a licensed professional structural engineer, to ensure the modified shipping container structure meets all development standards and is also able to meet the requirements of the Alberta Building Code.

- (n) Failure by the applicant to complete the development as approved by the Development Authority and any assigned conditions will result in the Town of Picture Butte taking enforcement action.

**TOWN OF PICTURE BUTTE**

**BYLAW # 849-16**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2016 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 25, 2016; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2016 total **\$4,663,619.67**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,429,504.00**, and the balance of **\$1,234,115.67** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 271,221.43	
Non-Residential	<u>\$ 62,431.16</u>	\$ 333,652.59
Opted Out School Boards:		
Residential / Farmland	\$ 45,008.85	
Non-Residential	<u>\$ 24,288.45</u>	<u>\$ 69,297.30</u>
Total School Requisitions		\$ 402,949.89
Green Acres Foundation (Seniors Requisition)		<u>\$ 19,827.21</u>
<b>Total Requisitions for 2016</b>		<b>\$ 422,777.10</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	<b>Assessment</b>
Residential / Farm Land - Public	\$ 116,476,657.00
Residential / Farm Land – Separate	\$ 19,329,153.00
Non-Residential / Linear - Public	\$ 19,839,218.00
Non-Residential / Linear – Separate	\$ 7,718,322.00
Machinery and Equipment - Public	\$ 2,018,440.00
Machinery and Equipment - Separate	<u>\$ 71,140.00</u>
<b>Total Assessment for 2016</b>	<b>\$ 165,452,930.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	<b>TAX LEVY</b>	<b>ASSESSMENT</b>	<b>TAX RATE</b>
<b>General Municipal</b>			
Residential / Farmland	\$ 977,668.08	\$135,805,810.00	7.19902
Non-Residential and M&E	\$ 256,447.59	\$ 29,647,120.00	8.65000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 271,221.44	\$116,476,657.00	2.32855
Non-Residential	\$ 62,431.15	\$ 19,839,218.00	3.14686
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 45,008.85	\$ 19,329,153.00	2.32855
Non-Residential	\$ 24,288.45	\$ 7,718,322.00	3.14686
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 19,827.21	\$165,452,930.00	0.11984
<b>GRAND TOTAL</b>	<b>\$ 1,656,892.77</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 9<sup>th</sup> day of May, 2016

Read a second time in Council assembled this 9<sup>th</sup> day of May, 2016

Council unanimously resolved to proceed to third reading this 9<sup>th</sup> day of May, 2016

Read a third time in Council assembled this 9<sup>th</sup> day of May, 2016

\_\_\_\_\_  
Mayor Wendy Jones

\_\_\_\_\_  
CAO Larry Davidson

## BYLAW # 850-16

A Bylaw of the Municipality of Picture Butte to authorize the Mayor and Chief Administrative Officer to execute an agreement with ATCO Gas and Pipelines Ltd., to renew an agreement with, and to confer a franchise on the Company to deliver natural gas to customers within the Town of Picture Butte.

**WHEREAS** the Company has requested a franchise be granted to provide natural gas services to customers within the Town of Picture Butte;

**AND WHEREAS** it is deemed that such an agreement would be of benefit to customers within the Town of Picture Butte;

**THEREFORE** under the authority of the Municipal Government Act, R.S.A. 2000, Chapter M-26, Part 3, Division 3, Section 45-47 be it enacted that the Mayor and Chief Administrative Officer be authorized to sign the agreement which is attached to and forming part of this Bylaw and marked as Schedule "A" between the Municipality and the Company to renew an agreement with and to confer a franchise on the Company to deliver natural gas services within the Town of Picture Butte;

This Bylaw shall come into force upon the agreement being approved by the Alberta Utilities Commission for the Province of Alberta, and upon being given Third reading and finally passed.

READ a First Time this 13<sup>th</sup> day  
of June, 2016

) Wendy Jones  
MAYOR

READ a Second Time this 8<sup>th</sup> day  
of August, 2016

) Larry R. [Signature]  
Chief Administrative Officer

READ a Third Time and finally

passed this 8<sup>th</sup> day

of August, 2016



## FORM OF APPLICATION

Alberta Utilities Commission  
10 Fl, 10055-106 Street  
Edmonton, Alberta  
T5J 2Y2

### **RE: RENEWAL OF A NATURAL GAS FRANCHISE AGREEMENT**

The Council of the Municipality hereby applies to the Alberta Utilities Commission for approval to renew a natural gas franchise agreement between the Municipality and ATCO Gas and Pipelines Ltd.

Enclosed herewith is a copy of by-law No. **850-16** read the first time on the 13th day of June, 2016.

The Council hereby declares:

- a) That the privilege or franchise granted under the natural gas franchise renewal agreement is necessary and proper for the public convenience and properly conserves the public interests.
- b) That the scheme of ATCO Gas and Pipelines Ltd. for the delivery of natural gas under the provisions of the natural gas franchise renewal agreement is reasonable and sufficient having regard to the general circumstances.
- c) That with respect to the delivery of natural gas to the Municipality the natural gas utility has provided the construction, equipment, maintenance, service or operation as the public convenience and interests reasonably require.
- d) That having regard to the deliverability of natural gas in the area in which the Municipality is situated and to any other circumstances, the granting of the franchise or privilege in the natural gas franchise renewal agreement is to the general benefit of the area directly or indirectly affected thereby.
- e) That the natural gas supplier has fully discussed all proposed changes to the natural gas franchise agreement with the Council and the Council understands the reasons for this renewal and is in agreement with them.
- f) That the rights conferred by the Municipality in the Agreement are not exclusive as against Her Majesty the Queen in the Right of the Province of Alberta.

Additionally, the Municipality hereby consents to the matter being determined without a hearing if no objections are filed with the Alberta Utilities Commission following published notice of the pending renewal agreement.

For the purposes of advertising notice, The Sunny South News is the newspaper with the largest circulation within the Municipality.

DATED THIS 14 DAY OF June A.D., 2016

SIGNED:

Wendy Jones  
(MAYOR)

Penny D.  
(ADMINISTRATOR)



**NATURAL GAS DISTRIBUTION SYSTEM FRANCHISE AGREEMENT**

**2016**

**BETWEEN:**

**TOWN OF PICTURE BUTTE**

**- AND -**

**ATCO GAS AND PIPELINES LTD.**

## Table of Contents

1) Definitions and Interpretation .....	3
2) Term .....	6
3) Expiry of Term of Agreement .....	6
4) Grant of Franchise .....	7
5) Franchise Fee .....	8
6) Core Services .....	10
7) Provision of Extra Services .....	10
8) Municipal Taxes .....	10
9) Right to Terminate on Default .....	11
10) Sale of Natural Gas Distribution System .....	11
11) Provision of Detailed Plans and Equipment .....	11
12) Right of First Refusal to Purchase .....	12
13) Construction and/or Maintenance of Natural Gas Distribution System .....	13
14) Responsibilities For Cost of Relocations .....	16
15) Natural Gas Distribution System Expansion .....	18
16) Increase in Municipal Boundaries .....	19
17) Joint Use of Municipal Rights-of-Way .....	19
18) Municipality as a Retailer .....	20
19) Reciprocal Indemnification and Liability .....	21
20) Assignment .....	21
21) Notices .....	23
22) Interruptions or Discontinuance of Delivery Service .....	24
23) Dispute Settlement .....	24
24) Application of Water, Gas and Electric Companies Act .....	25
25) Force Majeure .....	25
26) Terms and Conditions .....	26
27) Not Exclusive Against Her Majesty .....	26
28) Severability .....	26
29) Amendments .....	26
30) Waiver .....	26
31) Confidentiality .....	27

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# **NATURAL GAS DISTRIBUTION SYSTEM FRANCHISE AGREEMENT**

BETWEEN

**TOWN OF PICTURE BUTTE**, a municipality  
located in the Province of Alberta (the  
"Municipality")

OF THE FIRST PART

– and –

**ATCO GAS AND PIPELINES LTD.**, a  
corporation having its head office at the City of  
Edmonton, in the Province of Alberta (the  
"Company")

OF THE SECOND PART

WHEREAS by Agreement dated April 19, 1956 made between the Company and the Municipality a franchise was granted to the Company to supply natural gas to the Municipality and its inhabitants, for a period of twenty (20) years;

WHEREAS by Renewal Agreement dated November 18, 1976 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated October 16, 1986 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated October 28, 1996 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS by Renewal Agreement dated August 28, 2006 the Agreement was renewed and extended for a period of ten (10) years;

WHEREAS the Municipality desires to grant and the Company, collectively the "Parties", desires to obtain an exclusive franchise to provide Natural Gas Distribution Service within the Municipal Service Area on the terms and conditions herein contained;

NOW THEREFORE in consideration of the mutual covenants and promises herein contained, the Parties hereby agree as follows:

## **1) Definitions and Interpretation**

Unless otherwise expressly provided in this Agreement, the words, phrases and expressions in this Agreement will have the meanings attributed to them as follows:

- a) "Agreement" means this Natural Gas Distribution System Franchise Agreement;
- b) "Alternative Course of Action" shall have the meaning set out in paragraph 14 (c);
- c) "Commission" means the Alberta Utilities Commission (AUC) as established under the Alberta Utilities Commission Act (Alberta);
- d) "Company" means the Party of the second part to this Agreement and includes its successors and permitted assigns;
- e) "Construct" means constructing, reconstructing, upgrading, extending, relocating, or removing any part of the Natural Gas Distribution System;
- f) "Consumer" or "Consumers" as the text may require, means any individual, group of individuals, firm or body corporate, including the Municipality, with premises or facilities located within the Municipal Service Area from time to time that are provided with Natural Gas Distribution Service by the Company pursuant to the Company's Delivery Tariff;
- g) "Core Services" means all those services set forth in Schedule "A" of this Agreement;
- h) "Delivery Tariff" means the rates and Terms and Conditions of service approved by the Commission from time to time on an interim or final basis, as the case may be, for the Company to deliver Natural Gas to the Consumer;
- i) "Electronic Format" means any document or other means of communication that is created, recorded, transmitted or stored in digital form or in any other intangible form by electronic, magnetic or optical means or by any other computer-related means that have similar capabilities for creation, recording, transmission or storage;
- j) "Extra Services" means those services set forth in Schedule "B" that are requested by the Municipality for itself or on behalf of its citizens and provided by the Company in accordance with paragraph 7 of this Agreement;
- k) "GUA" means the Gas Utilities Act (Alberta);
- l) "Intended Time Frame" shall have the meaning set out in paragraph 14 (c);
- m) "Maintain" means to maintain and keep in good repair any part of the Natural Gas Distribution System;
- n) "Major Work" means any Work to Construct or Maintain the Distribution System that costs more than One Hundred Thousand (\$100,000.00) Dollars;
- o) "MGA" means the Municipal Government Act (Alberta);



- p) "Modified Plans" shall have the meaning set out in paragraph 14 (c)(ii);
- q) "Municipality" means the Party of the first part to this Agreement;
- r) "Municipal Compensation" shall have the meaning set out in paragraph 20;
- s) "Municipal Service Area" means the geographical area within the legal boundaries of the Municipality where the Company has been granted rights hereunder in connection with, among other matters, Natural Gas Distribution Service, as altered from time to time;
- t) "Municipal Property" means all property, including lands and buildings, owned, controlled or managed by the Municipality within the Municipal Service Area;
- u) "Natural Gas" means a combustible mixture of hydrocarbon gases;
- v) "Natural Gas Distribution Service" means the delivery of Natural Gas in accordance with the Company's Delivery Tariff;
- w) "Natural Gas Distribution System" means any facilities owned by the Company which are used to provide Natural Gas Distribution Service within the Municipal Service Area, and without limiting the generality of the foregoing, will include all mains, pipes, conduits, valves and all other installations used and required for the purpose of delivering Natural Gas to the Consumer within the Municipal Service Area and includes any Natural Gas transmission lines owned by the Company within the Municipal Service Area;
- x) "NOVA Gas Transmission Ltd. (NGTL)" means NGTL and its successors, as applicable, for purposes of paragraph 5 g) of this Agreement. For greater certainty, the provisions of paragraph 5 g) may only apply in relation to franchises held by ATCO;
- y) "Operate" means to operate the Natural Gas Distribution System, or to interrupt or restore service in any part of the Natural Gas Distribution System, in a safe and reliable manner;
- z) "Party" means any party to this Agreement and "Parties" means all of the parties to this Agreement;
- aa) "Plans and Specifications" means the plans, drawings and specifications reasonably necessary to properly assess and review proposed Work prior to issuance of any approval that may be required under this Agreement;
- bb) "Term" means the term of this Agreement set out in paragraph 2;
- cc) "Terms and Conditions" means the terms and conditions contained within the



Delivery Tariff in effect from time to time for the Company as approved by the Commission;

dd) "Work" means any work to Construct or Maintain the Natural Gas Distribution System; and

ee) "Work Around Procedures" shall have the meaning set out in paragraph 14 (c)(ii).

The words "hereof", "herein", "hereunder" and other words of similar import refer to this Agreement as a whole, including any attachments hereto, as the same may from time to time be amended or supplemented and not to any subdivision contained in this Agreement. Unless the context otherwise requires, words importing the singular include the plural and vice versa and words importing gender include all genders. References to provisions of statutes, rules or regulations will be deemed to include references to such provisions as amended, modified or re-enacted from time to time. The word "including" when used herein is not intended to be exclusive and in all cases means "including without limitation". References herein to a section, paragraph, clause, Article or provision will refer to the appropriate section, paragraph, clause, article or provision of this Agreement. The descriptive headings of this Agreement are inserted for convenience of reference only and do not constitute a part of and will not be utilized in interpreting this Agreement.

## **2) Term**

a) Subject to sub-paragraph 2(b), this Agreement will be for a minimum term of ten years, commencing on the later of:

i. 1<sup>st</sup> day of August 2016; and

ii. the first (1<sup>st</sup>) business day after both of the following have occurred:

A. the Commission has approved and acknowledged this Agreement; and

B. Council of the Municipality has passed third reading of the applicable adopting bylaw.

b) This Agreement will expire on the 31<sup>st</sup> day July, 2026.

c) It is agreed this Agreement supersedes and replaces any prior Natural Gas franchise agreements between the Municipality and the Company.

## **3) Expiry of Term of Agreement**

a) Provided the Company gives written notice to the Municipality not less than twelve (12) months prior to the expiration of the Term of its intention to negotiate a new franchise agreement, at any time following the expiration of the Term, and if the Municipality has not provided written notice to the Company to exercise its





rights to purchase the Natural Gas Distribution System, either Party may submit any items in dispute pertaining to a new franchise agreement to binding arbitration by the Commission.

- b) Subject to subparagraph 3c) of this Agreement, upon expiry of the Term, this Agreement will continue in effect pursuant to the provisions of the MGA.
- c) Commencing one (1) year following the expiration of the Term of this Agreement, unless either Party has invoked the right to arbitration referred to in subparagraph 3a), or the Municipality has given written notice to purchase the Natural Gas Distribution System, this Agreement will be amended to provide the following:
  - i) Fifty percent (50%) of the franchise fee otherwise payable under this Agreement to the Municipality will be held back and deposited in trust in an interest bearing trust account by the Company, for the sole benefit of the Municipality. The trust money along with all accumulated interest will be paid to the Municipality immediately upon execution of another Natural Gas Franchise Agreement with the Company, or if the Municipality purchases the Natural Gas Distribution System, or if the Company transfers or sells the Natural Gas Distribution System, or upon further Order of the Commission.
- d) In the event a franchise agreement template is approved by the Commission during the Term of this Agreement and the provisions are materially different from the provisions of this Agreement, the Parties may, by agreement in writing, amend this Agreement to conform to such franchise agreement template.

#### **4) Grant of Franchise**

- a) Subject to the terms and conditions hereof, the Municipality hereby grants to the Company the exclusive right within the Municipal Service Area to:
  - i. provide Natural Gas Distribution Service;
  - ii. Construct, Operate, and Maintain the Natural Gas Distribution System; and
  - iii. use portions of roads, rights-of-way, and other lands owned, controlled or managed by the Municipality which have been designated by the Municipality for such use and which are necessary to provide Natural Gas Distribution Service or to Construct, Operate and Maintain the Natural Gas Distribution System.
- b) Subject to subparagraph 4c) , and to the terms and conditions hereof, the Municipality agrees it will not, during the Term, grant to any other person, firm or corporation, the right to Construct, Operate and Maintain any natural gas distribution system nor the exclusive right to use the portions of the roads, rights-of-way and other lands owned, controlled or managed by the Municipality which



have been designated by the Municipality for such use and which are necessary to provide Natural Gas distribution service or to Construct, Operate and Maintain a Natural Gas distribution system, for the purpose of delivering Natural Gas in the Municipal Service Area for Consumers, so long as the Company delivers the Consumers' requirements of Natural Gas.

c) The Company agrees to:

- i. bear the full responsibility of an owner of a Natural Gas distribution system and to ensure all services provided pursuant to this Agreement are provided in accordance with the Delivery Tariff, insofar as applicable;
- ii. Construct, Operate and Maintain the Natural Gas Distribution System;
- iii. use designated portions of roads, rights-of-way, and other lands including other lands owned, controlled or managed by the Municipality necessary to Construct, Operate and Maintain the Natural Gas Distribution System, including the necessary removal, trimming of trees, shrubs or bushes or any parts thereof; and
- iv. use the Municipality's roads, rights-of-way and other Municipal Property granted hereunder solely for the purpose of providing Natural Gas Distribution Service and any other service contemplated by this Agreement.

**5) Franchise Fee**

a) Calculation of Franchise Fee

In consideration of the rights granted pursuant to paragraph 4 and the mutual covenants herein and subject to Commission approval the Company agrees to collect from Consumers and pay to the Municipality a franchise fee. The Parties agree s. 360(4) of the *MGA*, as amended, does not apply to the calculation of the franchise fee in this Agreement. For each calendar year the franchise fee will be calculated as a percentage of the Company's actual total revenue derived from the Delivery Tariff, including without limitation the fixed charge, base energy charge, demand charge, but excluding the cost of Natural Gas (being the calculated revenues from the Natural Gas cost recovery rate rider or the deemed cost of Natural Gas and Natural Gas supply related riders) in that year for Natural Gas Distribution Service within the Municipal Service Area.

For the first (1<sup>st</sup>) calendar year or portion thereof of the Term of this Agreement, the franchise fee percentage will be eighteen percent (18.00%).

By no later than September 1<sup>st</sup> of each year, the Company will:



- i. advise the Municipality in writing of the total revenues that were derived from the Delivery Tariff within the Municipal Service Area for the prior calendar year; and
- ii. with the Municipality's assistance, provide in writing an estimate of total revenues to be derived from the Delivery Tariff within the Municipal Service Area for the next calendar year.

b) Adjustment to the Franchise Fee

At the option of the Municipality and subject to Commission approval, the franchise fee percentage may be changed annually by providing written notice to the Company.

If the Municipality wishes to amend the franchise fee percentage, then the Municipality will, no later than November 1<sup>st</sup> in any year of the Term, advise the Company in writing of the franchise fee percentage to be charged for the following calendar year. Upon receipt of notice, the Company will work with the Municipality to ensure all regulatory requirements are satisfied on a timely basis and agrees to use best efforts to obtain approval from the Commission for implementation of the proposed franchise fee percentage as and from January 1<sup>st</sup> of the following calendar year.

If the Municipality provides written notice at any other time with respect to a franchise fee change, the Company will implement the new franchise fee percentage as soon as reasonably possible.

c) Notice to Change Franchise Fee

Prior to implementing any change to the franchise fee, the Municipality will notify its intent to change the level of the franchise fee and the resulting effect such change will have on an average residential Consumer's annual Natural Gas bill through publication of a notice once in the newspaper with the widest circulation in the Municipal Service Area at least forty five (45) days prior to implementing the revised franchise fee. A copy of the published notice will be filed with the Commission.

d) Payment of Franchise Fee

The Company will pay the Municipality the franchise fee amount billed to Consumers on a monthly basis within forty-five (45) days after billing Consumers.

e) Franchise Fee Cap

The franchise fee percentage will not at any time exceed thirty five percent (35%) without prior Commission approval.



f) **Reporting Considerations**

Upon request, the Company will provide to the Municipality, along with payment of the franchise fee amount information on the total Delivery Tariff billed, the franchise fee percentage applied, and the derived franchise fee amount used by the Company to verify the payment of the franchise fee amount as calculated under this paragraph 5.

g) **Franchise Fees Collected from NOVA Gas Transmission Ltd. Customers**

In the event certain customers in the Municipal Service Area connected to the Company's Natural Gas Distribution System are customers of the NOVA Gas Transmission Ltd. (NGTL), a franchise fee will be collected from such customers by NGTL in accordance with NGTL's applicable tariff and such franchise fee once remitted to the Company will be aggregated with the franchise fee as calculated in paragraph 5 a) to be dealt with in accordance with paragraph 5 d).

**6) Core Services**

The Company agrees to provide to the Municipality the Core Services set forth in Schedule "A". The Company and the Municipality may amend Schedule "A" from time to time upon mutual agreement.

**7) Provision of Extra Services**

Subject to an agreement being reached, the Company agrees to provide to the Municipality the Extra Services, if any, set forth in Schedule "B", as requested by the Municipality from time to time. The Company is entitled to receive from the Municipality a reasonable amount for full compensation for the provision of the Extra Services in accordance with Schedule "B". The Company and the Municipality may amend Schedule "B" from time to time upon mutual agreement.

Any breach by the Company in connection with the provision of any Extra Services contained in this Agreement will not constitute a breach of a material provision of this Agreement for the purposes of paragraph 9.

**8) Municipal Taxes**

Amounts payable to the Municipality pursuant to this Agreement will be (without duplication) in addition to the municipal taxes and other levies or charges made by the Municipality against the Company, its land and buildings, linear property, machinery and equipment.



**9) Right to Terminate on Default**

In the event either Party breaches any material provision of this Agreement, the other Party may, at its option, provide written notice to the Party in breach to remedy such breach. If the said breach is not remedied within two (2) weeks after receipt of the written notice or such further time as may be reasonably required by the Party in breach using best efforts on a commercially reasonable basis, the Party not in breach may give six (6) months notice in writing to the other Party of its intent to terminate this Agreement, and unless such breach is remedied to the satisfaction of the Party not in breach acting reasonably this Agreement will terminate six (6) months from the date such written notice is given, subject to prior Commission approval.

**10) Sale of Natural Gas Distribution System**

Upon the expiration of the Term of this Agreement or the termination of this Agreement pursuant to the terms and conditions hereof or by operation of law or order of a governmental authority or court of law having jurisdiction the Municipality may, subject to the approval of the Commission under Section 47 of the MGA:

- i. exercise its right to require the Company to sell to it the Natural Gas Distribution System within the Municipal Service Area pursuant to the provisions of the MGA, where applicable; or
- ii. if such right to require the Company to sell the Natural Gas Distribution System is either not applicable or has been repealed, require the Company to sell to it the Natural Gas Distribution System. If, upon the expiration of the Agreement, the parties are unable to agree on the price or on any other terms and conditions of the purchase, the unresolved matters will be referred to the Commission for determination.

**11) Provision of Detailed Plans and Equipment**

**a) Detailed Plans**

The Company agrees to provide to the Municipality for the Municipality's purposes only, the most current set of detailed plan sheets including as-built drawings and specifications showing the locations (excluding depth) and alignments of the Natural Gas Distribution System, excepting service lines and installations on private property, according to the plan sheets in hard copy and in Electronic Format, where available, together with as many prints of the overall Natural Gas Distribution System as the Municipality may reasonably require. These plans and plan sheets will be updated by the Company on at least an annual basis.

The Municipality will, upon reasonable request, provide to the Company any subdivision development plans of the Municipality in hard copy and in Electronic Format, where available. The subdivision development plans are provided to the

Company for the sole purpose of assisting the Company in delivering Natural Gas to the Consumer.

b) **Provision of Equipment**

The Company agrees to provide the Municipality's fire department with the equipment necessary for the operation of curb boxes and service valves. In case of fire, the service valves may be turned off by the fire department if they reach a fire before the Company's representative. The Municipality will notify one of the Company's representatives of fires which may affect the Natural Gas Distribution System and/or the operations thereof as quickly as reasonably possible or, in the event they cannot reach a Company representative, the Municipality will advise the Company's standby personnel of such fires. The Company will ensure its representatives reasonably cooperate with the Municipality in preventing, controlling and investigating fires involving or affecting the Natural Gas Distribution System.

**12) Right of First Refusal to Purchase**

- a) If during the Term of this Agreement, the Company receives a bona fide arm's length offer to operate, take control of, or purchase the Natural Gas Distribution System within the Municipal Service Area, which the Company is willing to accept, then the Company will promptly give written notice to the Municipality of the terms and conditions of such offer and the Municipality will during the next one hundred and twenty (120) days, have the right of first refusal to operate, take control of or purchase the Natural Gas Distribution System, as the case may be, for the same price and upon the terms and conditions contained in the said offer.

Notwithstanding the foregoing, in the event the Municipality fails or refuses to exercise its right of first refusal, the Municipality will retain the right to withhold its consent to an assignment of this Agreement in accordance with paragraph 20 below. For the purposes of this paragraph 12, "operate, take control" will not be construed as including the subcontracting by the Company of only some portions of its operations where the Company continues to be responsible for the performance of this entire Agreement;

- b) If the Municipality does not exercise its right of first refusal and the said bona fide offer the Company is willing to accept does not proceed to closure, the Municipality retains its right of first refusal on any other offer.
- c) This right of first refusal applies where the offer pertains only to the entire Natural Gas Distribution System. The right of first refusal does not apply to offers that include any other distribution systems or distribution facilities of the Company located outside of the Municipal Service Area. If such offer includes other distribution systems of the Company, the aforesaid right of first refusal will be of no force and effect and will not apply.
- d) Where the Municipality exercises its rights to purchase the Natural Gas Distribution





System from the Company and thereby acquires the Natural Gas Distribution System, the Municipality agrees, should it no longer wish to own the Natural Gas Distribution System within five (5) years after it acquires the said system and the Municipality receives any bona fide offer from an arms-length third party to purchase the Natural Gas Distribution System, which it is willing to accept, then it will promptly give written notice to the Company of the terms and conditions of such offer. The Company will during the next one hundred and twenty (120) days have the first right of refusal to purchase the Natural Gas Distribution System for the same price and upon the same terms and conditions as contained in the said offer.

- e) The Municipality's right of first refusal will not apply where the Company has agreed to transfer the Natural Gas Distribution System to a third party utility company in exchange for certain other assets provided all of the following conditions are met:
  - i. the third party utility can demonstrate to the reasonable satisfaction of the Municipality that it meets the necessary technical and financial requirements to own and operate the Natural Gas Distribution System;
  - ii. the only consideration that will be exchanged between the Company and the third party utility company is the transfer and exchange of assets and monetary consideration limited to a maximum of 49% of the net book value of the Natural Gas Distribution System;
  - iii. there is no adverse impact to the Municipality resulting from the transfer and exchange above referenced as determined by the Commission;
  - iv. the Company and the third party utility company obtain all the requisite regulatory requirements prior to completing the transfer and exchange; and
  - v. full compensation is paid to the Municipality for all reasonable costs including administrative and legal costs incurred by the Municipality in ensuring all of the conditions i) through iv) above are satisfied.

### **13) Construction and/or Maintenance of Natural Gas Distribution System**

#### **a) Municipal Approval**

Before undertaking any Major Work, or in any case in which the Municipality specifically requests any Major Work, the Company will submit to and obtain the written approval from the Municipality, or its authorized officers, of the Plans and Specifications for the proposed Major Work and its location. Approval by the Municipality granted in accordance with this paragraph will be limited to an approval of the location and alignment of the Major Work only, and will not signify approval of the structural design or the ability of the work to perform the function for which it was intended.



Prior to commencing the Work, the Company will obtain such other applicable permits as are required by the Municipality. The Company will notify the Municipality of all Work done within the Municipal Service Area prior to commencing the Work where reasonably practicable. However, only Major Work is subject to a formal approval process.

The Company will obtain prior written approval from the Municipality for any traffic lane or sidewalk closures required to be made at least forty-eight (48) hours prior to the commencement of the proposed Work.

For the purposes of obtaining the approval of the Municipality for Major Work under this Agreement, the Company will provide the Municipality with the Plans and Specifications for the proposed Major Work in Electronic Format (or upon request, the Company will provide the Municipality with a hard copy of the materials). The Plans and Specifications will include a description of the project and drawings of a type and format generally used by the Company for obtaining approvals from municipalities and will illustrate the proposed changes to the Natural Gas Distribution System.

b) Restoration of Municipal Property

The Company agrees when it or any agent employed by it undertakes any Work on any Municipal Property, the Company will complete the said Work promptly and in a good and workmanlike manner and, where applicable, in accordance with the approved Plans and Specifications. Further, and unless otherwise agreed to by the Parties, the Company will forthwith restore the Municipal Property to the same state and condition, as nearly as reasonably possible, in which it existed prior to the commencement of such Work, subject to reasonable wear and tear and to the satisfaction of the Municipality acting reasonably.

The Company will, where reasonably practicable and prudent, locate its pipelines and related equipment in lanes and alleys rather than in the streets and main thoroughfares.

The Company further covenants it will not unduly interfere with the works of others or the works of the Municipality. Where reasonable and in the best interests of both the Municipality and the Consumer, the Company will cooperate with the Municipality and coordinate the installation of the Natural Gas Distribution System along the designated rights-of-way pursuant to the direction of the Municipality. During the performance of the Work, the Company will use commercially reasonable efforts to not interfere with existing Municipal Property and to cause as little damage as possible to the property of others (including the Municipality Property). If the Company causes damage to any existing Municipal Property during the performance of any Work, it will cause such damage to be repaired at its own cost.

Upon default by the Company or its agent to repair damage caused to Municipal Property as set out above, the Municipality may provide written notice to the





Company to remedy the default. If the default is not remedied within two (2) weeks after receipt of the written notice or such further time as may be reasonably required and requested by the Company using best efforts on a commercially reasonable basis to remedy the default, the Municipality may undertake such repair work and the Company will be liable for the reasonable costs thereof.

c) Urgent Repairs and Notification to Municipality



If any repairs or maintenance required to be made to the Natural Gas Distribution System are of an urgent nature where the operation or reliability of the Natural Gas Distribution System is materially compromised or potentially materially compromised, the Company will be entitled to conduct such repairs or maintenance as are commercially reasonable without prior notice to the Municipality and, unless otherwise specified by the Municipality, the Company will provide notice to the Municipality as soon as practicable and, in any event, no later than seventy-two (72) hours after the repairs are commenced.

d) Company to Obtain Approvals from Other Utilities

The Company will be solely responsible for locating, or causing to be located, all existing utilities or utility mains, pipes, valves and related facilities in, on or adjacent to the Work site. The Company will notify all other utility operators and ensure utilities and utility mains, pipes, valves and related facilities are staked prior to commencement of construction. Unless the Municipality has staked the location for the utility property, staking will not be deemed to be a representation or warranty by the Municipality the utility or utility property are located as staked. The Municipality will not be responsible for any damage caused by the Company to any utility or any third party as a result of the Company's Work, unless the Municipality has improperly staked the utility property. Approval must be obtained by the Company from the owner of any third party utility prior to relocation of any facility owned by such third party utility.

e) Revised Plans and Specifications

Following completion of the Major Work, the Company will provide the Municipality with the revised Plans and Specifications, updated after construction, in Electronic Format, where available and upon request, the Company will provide the Municipality with a hard copy of the materials within three (3) months of the request. The Company will provide the Municipality with copies of any other revised Plans and Specifications as reasonably requested by the Municipality. For the purposes of this paragraph and paragraph 11, the Company may satisfy its obligations to provide revised Plans and Specifications in Electronic Format by:

- i. advising the Municipality the revised Plans and Specifications are posted to a web-based forum that contains such information; and
  - ii. allowing the Municipality access to such web-based forum.
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f) Approvals

Where any approvals are required to be obtained from either Party under this paragraph, such approvals will not be unreasonably withheld.

The Company will ensure all Work is performed in accordance with the requirements of all applicable legislation, rules and regulations. The Company will immediately notify the Municipality of any lien, claim of lien or other action of which it has or reasonably should have knowledge, and will cause the same to be removed within thirty (30) days (or such additional time as the Municipality may allow in writing), failing which the Municipality may take such action as it reasonably deems necessary to remove the same and the entire cost thereof will be immediately due and payable by the Company to the Municipality.

**14) Responsibilities For Cost of Relocations**

- a) Upon receipt of one (1) year's notice from the Municipality, the Company will, at its own expense, relocate to Municipal Property such part of the Natural Gas Distribution System that is located on Municipal Property as may be reasonably required by the Municipality due to planned municipal construction. In order to encourage the orderly development of Municipal facilities and the Natural Gas Distribution System, the Municipality and the Company agree they will meet regularly to:
  - i. review the long-term facility plans of the Municipality and the Company; and
  - ii. determine the time requirements and costs for final design specifications for each relocation. Providing the Municipality is not the developer requesting the relocation for commercial or residential resale to third parties, the Company will bear the expenses of the required relocation.
- b) Notwithstanding the foregoing, the Company will not be required to move any part of the Natural Gas Distribution System after receipt of notice from the Municipality in accordance with this paragraph where:
  - i. the Company has illustrated to the satisfaction of the Municipality, acting reasonably, an appropriate Alternative Course of Action is available;
  - ii. the Municipality has provided the Company with its written approval of the Alternative Course of Action (which approval may not be unreasonably withheld by the Municipality); and
  - iii. the Company has provided its written undertaking to carry out the Alternative Course of Action promptly and within a sufficiently short period of time so as to ensure the Municipality will be left with sufficient time to complete the said planned municipal construction within the Intended Time Frame (taking into account any delays which the Municipality may encounter as a result of the



Company utilizing the Alternative Course of Action).

- c) For the purposes of this paragraph 14, the term "Alternative Course of Action" will mean any course of action that will enable the Municipality to complete the said Municipal construction and will result in a net cost savings to the Company (taking into account all additional costs incurred by the Company in carrying out the Alternative Course of Action and any additional costs which the Municipality may incur and which the Company will be required to pay in accordance with this paragraph 14 and "Intended Time Frame" will mean the period of time within which the Municipality would have reasonably been able to complete the said Municipal construction if the Company would have relocated the Natural Gas Distribution System in accordance with this paragraph 14.

If the Municipality agrees to permit the Company to utilize an Alternative Course of Action, the Company will pay any and all costs incurred in carrying out the Alternative Course of Action and will pay on demand to the Municipality (on a full indemnity basis) any and all costs incurred by the Municipality:

- i. in conducting a review of the Alternative Course of Action to determine whether the Alternative Course of Action is acceptable to the Municipality;
- ii. in modifying any plans the Municipality may have prepared in respect of the said municipal construction ("Modified Plans") or in preparing or developing plans and procedures ("Work Around Procedures") to work around the Natural Gas Distribution System or any improvement, thing, or component utilized by the Company in effecting the Alternative Course of Action; and
- iii. in the course of conducting the said planned municipal construction where such costs would not have been incurred by the Municipality if the Company had relocated the Natural Gas Distribution System in accordance with this paragraph 14 (including any reasonable additional cost the Municipality may incur in completing the said municipal construction in accordance with the Modified Plans or in effecting any Work Around Procedures).

d) The following example illustrates the intended application of the foregoing provisions:

Where:

- i. The Municipality requires the Company to move a Natural Gas line so the Municipality can replace its own sewer lines. The cost of moving the Natural Gas line is \$10,000. The cost of carrying out the replacement of the sewer line after moving the Natural Gas line is \$40,000;
- ii. The Company proposes to simply brace the Natural Gas line (at a cost of \$2,000) and the Municipality, acting reasonably, approves of this as an Alternative Course of Action;



- iii. As a result of having to prepare Modified Plans and to prepare and implement Work Around Procedures to work around the braces, the actual cost incurred by the Municipality in replacing the sewer line is \$45,000 (being a net increase in cost of \$5,000); the Company is required to pay the \$2,000 cost of the bracing together and the additional cost of \$5,000 incurred by the Municipality (resulting in a net savings of \$3,000 to the Company).

In cases of emergency, the Company will take all measures that are commercially reasonable and necessary to ensure public safety with respect to relocating any part of the Natural Gas Distribution System that may be required in the circumstances.

If the Company fails to complete the relocation of the Natural Gas Distribution System or fails to repair or do anything else required by the Company pursuant to this subparagraph without valid justification and in a timely and expeditious manner to the satisfaction of the Municipality's representative, acting reasonably, the Municipality may, but is not obligated to, complete such relocation or repair and the Company will pay the reasonable costs of such relocation or repair forthwith to the Municipality. If the Municipality chooses to complete such relocation or repair the Municipality will ensure such work is completed using the Company's design specifications and standards, as provided by the Company, including the use of good and safe operating practices.

The Municipality is not responsible, either directly or indirectly, for any damage to the equipment which forms part of the Natural Gas Distribution System which may occur during its installation, maintenance or removal by the Company, nor is the Municipality liable to the Company for any losses, claims, charges, damages and expenses whatsoever suffered by the Company including claims for loss of revenue or loss of profits, on account of the actions of the Municipality, its agents or employees, working in, under, over, along, upon and across its highways and rights-of- ways or other Municipal Property other than direct loss or damage to the Company caused by the negligence or willful misconduct of the Municipality, its agents or employees.

In the event the relocation or any part thereof requires the approval of a third party, the Municipality will use reasonable efforts to assist the Company in any negotiation with such third party to obtain the necessary approval(s).

In the event the relocation results from the demand or order of an authority having jurisdiction, other than the Municipality, the Municipality will not be responsible for any of the costs of such relocation.

## **15) Natural Gas Distribution System Expansion**

Subject to the Terms and Conditions, and at no cost to the Municipality unless otherwise provided for under the Terms and Conditions, the Company will, on a timely basis, use its best efforts on a commercially reasonable basis to meet the Natural Gas Distribution System expansion requests of the Municipality or a Consumer and provide the requisite



facilities for connections for new Consumers to the Natural Gas Distribution System.

**16) Increase in Municipal Boundaries**

Where the Municipality increases its geographical area, through annexation or amalgamation, as understood under the MGA, by the greater of 640 acres and twenty five (25%) percent of the current area or more, the Municipality will have the option to:

- a) terminate this Agreement provided the Municipality gives notice in writing to the Company of its intention to do so; or
- b) add the increased area to the Municipal Service Area already served by the Company so that the rights and obligations contained in this Agreement will apply in respect of the Municipal Service Area, including the increased area.

For all other increases to the Municipal Service Area through annexation or amalgamation as understood under the MGA, the rights and obligations contained in this Agreement will apply in respect of the whole Municipal Service Area, including the increased area.

**17) Joint Use of Municipal Rights-of-Way**

a) Municipal Use

The Municipality will upon written notice to the Company have, for any reasonable municipal purpose, the right to make use of any municipal rights-of-way granted to the Company by the Municipality, provided such use complies with good and safe operating practices, as determined by the Company acting reasonably, applicable legislation, and does not unreasonably interfere with the Company's use thereof, at no charge to the Municipality. The Municipality is responsible for its own costs and any necessary and reasonable costs incurred by the Company including the costs of any alterations that may be required in using municipal rights-of-way.

b) Third Party Use and Notice

If any third party, including other utilities, desire to jointly use the municipal rights-of-way, the Company agrees it will not grant the third party joint use except in accordance with this paragraph, or unless otherwise directed by any governmental authority or court of law having jurisdiction.

The Company agrees the following procedure will be used in granting permission to third parties desiring joint use of the municipal rights-of-way:

- i. first, the third party will be directed to approach the Company to initially request conditional approval from the Company to use that part of the municipal rights-

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of-way it seeks to use;

- ii. second, upon receiving written conditional approval from the Company, the third party will be directed to approach the Municipality to obtain its written approval to jointly use that part of the municipal rights-of-way. As a condition of granting its consent, the Municipality may require such third party enter into an agreement with the Municipality, and such agreement may require such third party pay compensation to the Municipality; and
- iii. third, upon receiving written conditional approval from the Municipality, the third party will be directed to obtain final written approval from the Company to jointly use that part of the municipal rights-of-way. Once a joint use agreement has been entered into between the Company and the third party, it will not be subsequently amended without the written consent of the Municipality (which consent will not be unreasonably withheld).

c) Cooperation

The Company and the Municipality agree they will use reasonable efforts to cooperate with each other in encouraging the use of joint trenching and in any negotiations with third parties desiring joint use of any part of the municipal rights-of-way located on Municipal Property.

d) Payment

The compensation paid or to be paid by such third party to the Municipality for the use of the Municipal Property including its rights-of-way, will be determined between the Municipality and the third party.

The compensation paid or to be paid by such third party to the Company for the joint use of any portion of the municipal rights-of-way will be determined between the Company and the third party, subject to the jurisdiction of any governmental authority over the matter and the Municipality's right to intervene in any related regulatory proceeding.

e) Provision of Agreements

Upon reasonable request by the Municipality, copies of these agreements will be updated by the Company and provided to the Municipality at no cost to the Municipality.

**18) Municipality as a Retailer**

The provisions of this Agreement will not in any way restrict the right of the Municipality to become a retailer within the meaning of the GUA.

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## **19) Reciprocal Indemnification and Liability**

- a) The Company will indemnify and save the Municipality, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and expenses (including all legal costs and disbursements), including indemnity from and against any claim, loss, cost, demand and legal or other expense, whether in respect of any lien, encumbrance or otherwise, arising out of any Work performed by or for the Company, which may be brought against or suffered, sustained, paid or incurred by the Municipality, its servants, agents, employees, contractors, licensees and invitees, arising from, or otherwise caused by:
  - i. any breach by the Company of any of the provisions of this Agreement; or
  - ii. the negligence or willful misconduct of the Company, or any of its servants, agents, employees, licensees, contractors or invitees in carrying on its business within the Municipal Service Area.
- b) The Municipality will indemnify and save the Company, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and expenses (including all legal costs and disbursements) which may be brought against or suffered, sustained, paid or incurred by the Company, its servants, agents, employees, licenses, contractors and invitees, arising from, or otherwise caused by:
  - i. any breach by the Municipality of any of the provisions of this Agreement; or
  - ii. the negligence or willful misconduct of the Municipality, or any of its servants, agents, employees, licensees, contractors or invitees, in carrying on the business of the Municipality.
- c) Notwithstanding anything to the contrary herein contained, in no event will the Municipality or the Company be liable under this Agreement, in any way, for any reason, for any indirect, special or consequential damages (including damages for pure economic loss, loss of profits, loss of earnings or loss of contract), howsoever caused or contributed to.

## **20) Assignment**

In the event the Company agrees to sell the Natural Gas Distribution System to a third party purchaser, the Company will comply with paragraph 10 above. In addition, the Company will request the third party purchaser confirm in writing it will agree to all the terms and conditions of this Agreement between the Company and the Municipality. The Company agrees it will provide to the Municipality a copy of the third party purchaser's confirmation letter.



The Company agrees to provide the Municipality with reasonable prior written notice of a sale of the Natural Gas Distribution System to a third party purchaser. The Parties will thereafter meet to discuss the technical and financial capabilities of the third party purchaser to perform and satisfy all terms and conditions of the Agreement, and the compensation payable to the Municipality for all costs including administrative and legal costs relating to providing its written consent to the Assignment ("Municipal Compensation").

The Municipality has thirty (30) days from the meeting date with the Company to provide written notice to the Company of its intention to consent or withhold its consent to the assignment of the Agreement to the third party purchaser. The Company agrees the Municipality may provide notice of its intention to withhold its consent to the assignment of this Agreement to the third party purchaser if the Municipal Compensation is inadequate or if the third party purchaser fails to covenant, in favour of the Municipality, to perform and observe all of the covenants and obligations of the Company to be performed and observed under this Agreement and otherwise solely on the basis of reasonable and material concerns regarding the technical capability or financial wherewithal of the third party purchaser to perform and satisfy all terms and conditions of the Agreement. In this case, such notice to the Company must specify in detail the Municipality's concern.

Should the Municipality not reply within the thirty (30) day period, it is agreed the Municipality will be deemed to have consented to the assignment. The Company further agrees when it applies to the Commission for approval of the sale, it will include in the application any notice received from the Municipality, including the reasons given by the Municipality for withholding its consent. The Municipality will have the right to make its own submissions to the Commission.

Subject to the Company having fulfilled the obligations outlined in the preceding three paragraphs, the Company will be entitled to assign this Agreement to an arm's length third party purchaser of the Natural Gas Distribution System without the consent of the Municipality, subject to paying the Municipal Compensation for the assignment, and having obtained the Commission's approval for the sale of the Natural Gas Distribution System and, the third party purchaser's confirmation in writing that it agrees to all the terms and conditions of this Agreement.

Where the Commission approves such sale of the Natural Gas Distribution System to a third party and the third party provides written confirmation to assume all liabilities and obligations of the Company under this Agreement, then upon the assignment of this Agreement and the payment of the Municipal Compensation for its consent to the Assignment subject to Commission approval, the Company will be released from all its liabilities and obligations thereunder.

The Company will be entitled to assign this Agreement to a subsidiary or affiliate of the Company without the Municipality's written consent. Where the Company assigns this Agreement to a subsidiary or affiliate, the Company will remain jointly and severally





liable.

Further, it is a condition of any assignment that the subsidiary, affiliate or third party purchaser, as the case may be, will provide written notice to the Municipality indicating it will assume all liabilities and obligations of the Company under this Agreement.

Any disputes arising under the operation of this paragraph will be submitted to the Commission for determination.

## 21) Notices

- a) All notices, demands, requests, consents, or approvals required or permitted to be given pursuant to the terms of this Agreement will be in writing and will be deemed to have been properly given if personally served, sent by registered mail or sent in Electronic Format to the Municipality or to the Company as the case may be, at the addresses set forth below:

To the Company:

ATCO GAS AND PIPELINES LTD.

Attention: Senior Director, District Operations  
5<sup>th</sup> Floor ATCO Centre 909 – 11<sup>th</sup> Avenue, SW  
Calgary, Alberta T2R-1L8  
\_\_\_\_\_  
Phone (403) 245-7749 Fax (403) 245-7405

To the Municipality:

TOWN OF PICTURE BUTTE

Attention: Chief Administrative Officer  
PO Box 670  
Picture Butte, Alberta T0K-1V0  
\_\_\_\_\_  
Phone (403) 732-4555 Fax (403) 732-4334

- b) The date of receipt of any such notice as given above, will be deemed to be as follows:
- i. In the case of personal service, the date of service;
  - ii. In the case of registered mail, the seventh (7th) business day following the date of delivery to the Post Office, provided, however, in the event of an interruption of normal mail service, receipt will be deemed to be the seventh (7th) day following the date on which normal service is restored; or
  - iii. In the case of delivery in Electronic Format, the date the notice was actually received by the recipient or, if not a business day, then the next business day.



**22) Interruptions or Discontinuance of Delivery Service**

Subject to its Delivery Tariff, the Company will use its best efforts on a commercially reasonable basis to avoid and minimize any interruption, reduction or discontinuance of Natural Gas Distribution Service to any Consumer. However, the Company reserves the right to do so for any one of the following reasons:



- a) Where the Company is required to effect necessary repairs or changes to the Natural Gas Distribution System;
- b) On account of or to prevent fraud or abuse of the Natural Gas Distribution System;
- c) On account of defective aspects of the Natural Gas Distribution Systems which in the opinion of the Company, acting reasonably, may become dangerous to life or property;
- d) Where required, under the Terms and Conditions, due to a Consumer's non-payment of Natural Gas bills.

To the extent the Company has any planned major interruptions, reductions or discontinuances in Natural Gas Distribution Service, it will notify the Municipality in writing as soon as practicable in the circumstances. For any other major interruption, reductions or discontinuances in Natural Gas Distribution Service, the Company will provide notice (in a format acceptable to the Municipality) as soon as is practicable in the circumstances.

**23) Dispute Settlement**

- a) If any dispute or controversy of any kind or nature arises relating to this Agreement or the Parties' rights or obligations hereunder, the Parties agree such dispute or controversy will be resolved by negotiation, and where such negotiation does not result in the settlement of the matter within thirty (30) days of notice of such dispute being provided by one Party to the other Party, and to the extent permitted by law, the Company and Municipality agree that unresolved disputes pertaining to this Agreement, other than those contemplated in paragraphs 3 and 20 and Section 3 of Schedule "A", or those related to the sale of the Natural Gas Distribution System as contemplated in paragraphs 10 and 12 hereof, or any other matter within the exclusive jurisdiction of a governmental authority having jurisdiction, will be submitted to arbitration for determination and may be commenced by either Party providing written notice to the other Party stating the dispute to be submitted to arbitration.

The Parties will attempt to appoint a mutually satisfactory arbitrator within ten (10) business days of the said notice. In the event the Parties cannot agree on a single arbitrator within the ten (10) business days, the dispute will be forwarded to the Commission for resolution or determination.



In the event the Commission declines to assist in resolving the dispute or declines to exercise or claim jurisdiction respecting the dispute, both Parties agree to have the dispute resolved by an arbitration panel in accordance with the following procedure.

Each Party will appoint an arbitrator within the ten (10) business days thereafter by written notice, and the two arbitrators will, together, appoint a third arbitrator within twenty-five (25) business days of written notice for arbitration. The dispute will be heard by the arbitration panel within forty-five (45) business days of the written notice for arbitration unless extended by mutual agreement between the Parties. The arbitration panel will render a decision within twenty (20) business days of the last day of the hearing.

Except, as otherwise expressly provided in this Agreement, the provisions of the Arbitration Act (Alberta) (as amended from time to time) will apply to any arbitration undertaken under this Agreement subject always to the Commission's jurisdiction over any matter submitted to arbitration. Pending resolution of any dispute, the Municipality and the Company will continue to perform their respective obligations hereunder.

- b) The Company will advise the Commission of any dispute submitted to arbitration within ten (10) business days of it being submitted and will advise the Commission of the results of arbitration within ten (10) business days following receipt of the decision of the arbitrator(s).

## **24) Application of Water, Gas and Electric Companies Act**

This Agreement will be deemed to operate as consent by the Municipality to the exercise by the Company of those powers which may be exercised by the Company with the consent of the Municipality under and pursuant to the provisions of the *Water, Gas and Electric Companies Act* (Alberta), as amended.

## **25) Force Majeure**

If either Party fails to meet its obligations hereunder within the time prescribed, and such failure is caused or materially contributed by an event of "force majeure", such failure will be deemed not to be a breach of the obligations of such Party hereunder, but such Party will use its best efforts on a commercially reasonable basis to put itself in a position to carry out its obligations hereunder. The term "force majeure" will mean any acts of God, strikes, lock-outs, or other industrial disturbances, acts of the Queen's enemies, acts of terrorism (either foreign or domestic), sabotage, war, blockades, insurrections, riots, epidemics, lightening, earthquakes, storms, fires, wash-outs, nuclear and radiation activity or fall-out, restraints of rulers and people, orders of governmental authorities or courts of law having jurisdiction, the inability to obtain any necessary approval from a governmental authority (excluding the Municipality) having

jurisdiction, civil disturbances, explosions, mechanical failure, and any other causes similar in nature not specifically enumerated or otherwise specified herein that are not within the control of such Party, and all of which by the exercise of due diligence of such Party could not have been prevented. Lack of finances will be deemed not to be an event of "force majeure".

**26) Terms and Conditions**

The Terms and Conditions applicable to the Company and approved by the Commission, as revised or amended from time to time by the Commission, will apply to the Municipality. Nothing in this Agreement is intended to supersede the Terms and Conditions.

**27) Not Exclusive Against Her Majesty**

Notwithstanding anything to the contrary herein contained, it is mutually understood and agreed the rights, powers and privileges conferred and granted by this Agreement will not be deemed to be exclusive against Her Majesty in right of the Province of Alberta.

**28) Severability**

If for any reason any covenant or agreement contained in this Agreement, or the application thereof to any Party, is to any extent held or rendered invalid, unenforceable or illegal, then such covenant or agreement will be deemed to be independent of the remainder of this Agreement and to be severable and divisible from this Agreement. The invalidity, unenforceability or illegality will not affect, impair or invalidate the remainder of this Agreement or any part thereof. The intention of the Municipality and the Company is that this Agreement would have been executed without reference to any portion which may, for any reason or to any extent, be declared or held invalid, unenforceable or illegal.

**29) Amendments**

This Agreement may only be amended by written agreement of the Parties, such amendments to be subject to any regulatory approvals required by law.

**30) Waiver**

A waiver of any default, breach or non-compliance under this Agreement is not effective unless in writing and signed by the Party to be bound by the waiver. No waiver will be inferred from or implied by any failure to act or delay in acting by a Party in respect of any default, breach or non-observance or by anything done or omitted to be done by the other Party.

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The waiver by a Party of any default, breach or non-compliance under this Agreement will not operate as a waiver of that Party's rights under this Agreement in respect of any continuing or subsequent default, breach or non-compliance under this Agreement (whether of the same nature or any other nature).

**31) Confidentiality**

The Company acknowledges the Municipality is governed by the provisions of the *Freedom of Information and Protection of Privacy Act* (Alberta).

IN WITNESS WHEREOF the Parties hereto have executed these presents as of the day and year first above written.

**(Municipality)**

PER: \_\_\_\_\_

PER: \_\_\_\_\_

**(Company)**

PER: \_\_\_\_\_

PER: \_\_\_\_\_



## SCHEDULE "A" Core Services

The Company will provide to the Municipality the following basic services as Core Services:

- 1) The Company will deliver Natural Gas to the Consumers in accordance with the Company's Terms and Conditions, the Company's Distribution Tariff, the GUA, any regulations thereto, and any Commission orders and decisions.
- 2) The Company will install all Natural Gas facilities required to provide service to the Consumers in accordance with all applicable regulations, codes, applicable standards and common industry practices.
- 3) As required by legislation, the Company will provide and install all necessary regulators and meters necessary for measuring the Natural Gas supplied to each Consumer.
- 4) The Company agrees to collaborate with the Municipality's emergency response services in an effort to mutually develop emergency response procedures relating to Natural Gas emergencies.
- 5) The Company will provide personnel twenty-four (24) hours a day to investigate and make safe any suspected gas leak inside or outside the Consumer's premises.
- 6) The Company will utilize the services of qualified personnel for designing all Natural Gas facilities to satisfy all applicable regulatory codes and standards, preparing necessary work order plans and monitoring the distribution network pressures to ensure the Company's facilities will satisfy the Consumer's current and future Natural Gas delivery requirements.
- 7) The Company will provide to the Municipality, on request, copies of any and all Natural Gas Distribution Service related written or electronic, where available information or reports required to be filed with the Commission by the Company.
- 8) The Company will provide to the Municipality, upon request and to the extent the information is available, an annual report on the following standards:
  - a) **System Reliability** - will be measured by:
    - i. The number of major outages resulting in a loss of service to Consumers;
    - ii. The number of Consumers affected by each major outage; and
    - iii. The duration of each major outage.
  - b) **Consumer Satisfaction** - will be measured by:



- i. Company-wide call centre targets and statistics (wait times, abandoned calls, call volumes, etc.); and
- ii. any Consumer complaints received by the Commission.

c) **Public Safety** - will be measured by:

- i. the number of customer injuries and/or damages due to Natural Gas Distribution System failure;
- ii. the number of line hits per total locates completed;
- iii. the number of line hits as a result of inaccurate locates;
- iv. the percentage of the area of the Municipality surveyed for leaks and yearly cathodic protection measures;
- v. the number and nature of calls received from the Municipality and any of its Municipal agencies (including fire department, police department etc.) regarding the Natural Gas Distribution System.

9) Once per year, upon request and subject to any applicable privacy legislation, the GUA Code of Conduct Regulation or other rules prohibiting or restricting such disclosure, the Company will provide to the Municipality:

- a) The total number of sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- b) The total gigajoules (GJ) of Natural Gas consumed by Consumers billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- c) The franchise fee revenue billed to Consumers within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
- d) Where the Municipality is the customer of record and the Municipality provides a list of those sites to the Company on the form provided by the Company:
  - i. The total number of those sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
  - ii. The total gigajoules (GJ) of Natural Gas at those sites billed within the Municipal Service Area, by Company rate class, per revenue month, for each of the last two (2) years;
  - iii. The franchise fee revenue billed to those sites within the Municipal Service Area,



by Company rate class, per revenue month, for each of the last two (2) years; and

e) Such other information as may be agreed upon by the Parties from time to time.

Where privacy legislation, the GUA Code of Conduct Regulation or other rules prohibiting such disclosure prevent the Company from providing the information above, the Company will make reasonable attempts to aggregate the information so as to comply with the applicable rules. The Company will not be obligated to provide such aggregated information if it believes such aggregation will not allow the Company to comply with the applicable rules.

- 10) Upon request by either Party, the Company will meet with the Municipality. Through a mutual exchange of information the Company will keep the Municipality apprised of the Company's construction and upgrading programs planned for the Municipal Service Area and the Municipality will advise the Company of any issues or plans relating to, or potentially impacting, the Natural Gas Distribution System.

#### **SCHEDULE "B" Extra Services**

Nothing in this Agreement precludes the Parties from contracting for Extra Services outside the provisions of this Agreement. In the event the Parties do elect to contract for the provision of Extra Services within the provisions of this Agreement and unless otherwise agreed upon by the Parties, nothing in this Agreement will preclude the Company from sub-contracting with third parties for the provision of Extra Services.

Subject to Commission approval, as may be required, any payments from the Municipality to the Company for Extra Services, if agreed to by the Municipality, may be deducted from the Franchise Fee collected from Consumers and otherwise remitted to the Municipality pursuant to paragraph 5 of this Agreement. The timing and quantum of such payments will be as agreed upon by the Parties and set forth as an amendment to this Schedule.

RP  
WJ



# **TOWN OF PICTURE BUTTE**

## **BYLAW #852-16**

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE ESTABLISHMENT OF RULES AND REGULATIONS TO REGULATE VEHICLE, ANIMAL AND PEDESTRIAN TRAFFIC;**

**WHEREAS** the Traffic Safety Act authorizes a municipality to regulate and control vehicle, animal and pedestrian traffic and parking on the highways and on other property within the municipality;

**WHEREAS** the Municipal Government Act allows a municipality to pass Bylaws and delegate authority with respect to highways under its direction, control and management and transport thereon;

**NOW THEREFORE**, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled **HEREBY ENACTS AS FOLLOWS:**

### **PART 1 – TITLE**

1.1 This Bylaw may be cited as *"The Traffic Bylaw"*.

### **PART 2 – DEFINITIONS**

*The definitions contained in Section 1 of the Traffic Safety Act of Alberta, Section 1 of the Commercial Vehicle Dimension and Weight Regulation of Alberta, and Section 1 of the Use of Highway and Rules of the Road Regulations of Alberta shall apply to this Bylaw unless specifically set out herein:*

- 2.1 "ACT" means the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto;
- 2.2 "ALLEY" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land and is considered a highway for the purposes of this Bylaw;
- 2.3 "BOULEVARD" means the portion of highway between the curb lines or lateral lines of a roadway and the adjoining property lines, exclusive of the sidewalk; also that portion of a street between the curb lines or lateral lines of a divided roadway;
- 2.4 "CHIEF ADMINISTRATIVE OFFICER" means the person appointed by Council in accordance with Section 205 of the Municipal Government Act and is referred to throughout this Bylaw as CAO;
- 2.5 "COUNCIL" means the Council of the Town of Picture Butte;
- 2.6 "COMMERCIAL VEHICLE" means a commercial vehicle as defined in the Act. A public passenger vehicle shall be deemed to be excluded from the definition of a Commercial Vehicle while engaged in the transportation of passengers;
- 2.7 "CROSS-WALK" means;

2.7.1 That part of a roadway at an intersection included within the connection of the

lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edge of the roadway, or

2.7.2 Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by line or other markings on the road surface;

2.8 "CURB" means the actual curb, if there is one, and if there be no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;

2.9 "EXTENDED PERIOD OF TIME" means the amount of time determined at the discretion of a Peace Officer;

2.10 "HEAVY VEHICLE" means a motor vehicle, alone or together with any trailer, semi-trailer, or other vehicle being towed by the motor vehicle with a registration gross weight of 5000 kilograms or more and/or exceeding 11.0 metres in total length. A public passenger vehicle shall be deemed to be excluded from the definition of a Heavy Vehicle while engaged in the transportation of passengers.

2.11 "HIGHWAY" means a highway as defined in the Act;

2.12 "IDENTIFICATION PERMIT" means a coloured symbol supplied by the CAO upon acceptance of application to the owner of a motor vehicle in relation to Part 9(9.3);

2.13 "MOTOR VEHICLE" means a motor vehicle as defined in the Act;

2.14 "OFF-HIGHWAY VEHICLE" as defined in the Act, means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

2.14.1 4-wheel drive vehicles,

2.14.2 low pressure tire vehicles,

2.14.3 cycles and related 2-wheel vehicles,

2.14.4 amphibious machines,

2.14.5 all terrain vehicles,

2.14.6 miniature motor vehicles,

2.14.7 snow vehicles,

2.14.8 minibikes, and

2.14.9 any other means of transportation that is propelled by any power other than muscular power or wind,

**BUT DOES NOT INCLUDE**

2.14.10 motor boats, or



2.14.11 any other vehicle exempted from being an off-highway vehicle by regulation;

- 2.15 "OPERATOR" means a person who drives or is in actual physical control of a vehicle;
- 2.16 "OWNER" means owner as defined in the Act;
- 2.17 "PARADE or PROCESSION" shall mean any group of pedestrians (excepting a military or funeral procession) numbering more than 15, marching or walking on a highway or a procession of vehicles on a highway (excepting a military or funeral procession) numbering 10 or more or a procession or march organized for the purpose of entertainment of spectators, displays, inspection or promotion of a cause or purpose;
- 2.18 "PARK" means to allow a vehicle (whether occupied or not) to remain in one place except:
- 2.18.1 When standing temporarily for the purpose of and while actually engaged in loading or unloading, or
- 2.18.2 When standing in obedience to a Peace Officer or traffic control device.
- 2.19 "PASSENGER LOADING SPACE" means a space or section of highway marked with a sign or marking authorized by the Council, permitting parking therein for the period necessary to load or unload passengers;
- 2.20 "PEACE OFFICER" means a member of the Royal Canadian Mounted Police, Municipal Police Officer, Police Constable, Peace Officer, Constable, Bailiff, Bylaw Enforcement Officer or other person employed by the Town for the prevention of disorder and maintenance of public peace and safety;
- 2.21 "PROPERTY LINE" means as located on a real property report for the property in question;
- 2.22 "RECREATION TRAILER" means any trailer that is designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place. Recreation trailers include any travel trailer, fifth wheel trailer, camper not mounted on a truck or any other trailer or object which a Peace Officer deems to be a recreation trailer;
- 2.23 "RECREATION VEHICLE" means any vehicle that is designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place. Recreation vehicles include any motorhome, camper mounted on a truck or any other vehicle or object which a Peace Officer deems to be a recreation vehicle;
- 2.24 "ROADWAY" means that portion of the highway intended for vehicular traffic within the Town;
- 2.25 "SIDEWALK" means a sidewalk as defined in the Act;
- 2.26 "TOWN" means the Corporation of the Town of Picture Butte or the area contained within the corporate boundaries of the Town, as the context requires;
- 2.27 "TRAFFIC" means pedestrians, animals or vehicles while using the highway for the purpose of travel;
- 2.28 "TRAFFIC CONTROL DEVICE" means a traffic control device as defined in the Act;

- 2.29 "TRAFFIC CONTROL SIGNAL" means a traffic control device signal as defined in the Act;
- 2.30 "TRAILER" means a trailer as defined in the Act;
- 2.31 "TREE" shall mean any type of tree or other woody vegetation;
- 2.32 "TRUCK LOADING SPACE" means a space or section of the highway marked for use for the loading or unloading of goods;
- 2.33 "VEHICLE" means a vehicle as defined in the Act;
- 2.34 "VIOLATION TAG" means a document authorized by the Town of Picture Butte and issued pursuant to Part 20 of this Bylaw;
- 2.35 "VIOLATION TICKET" means where a Peace Officer or other authorized official of the Town of Picture Butte believes that any person has committed a breach of any of the Sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 or Part 3 of the Provincial Offences Procedure Act, R.S.A. 2002, c. P-34;

### **PART 3 - SPEED LIMITS**

- 3.1 Pursuant to the provisions of the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto, the maximum speed for the highways within the Town limits is Fifty (50) Kilometres per hour.
- 3.2 The Council shall cause signs to be posted indicating a greater or lesser speed than that prescribed by the Traffic Safety Act, R.S.A. 2000, c. T-6 or indicating that the prescribed speed limit has ceased to apply.
- 3.3 No person shall drive a motor vehicle, in any alley or highway intended chiefly to give access to the rear of buildings and parcel of land at a greater rate of speed than Twenty (20) Kilometres per hour.
- 3.4 The Council may by signs posted along a highway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the highway.
- 3.5 Notwithstanding Section 3.4, the Town has the authority to temporarily reduce the speed limit for the safety of workers.

### **PART 4 - TRAFFIC CONTROL DEVICES**

- 4.1 Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
- 4.1.1 To divide the surface of a roadway into traffic lanes marked by solid or broken lines;
  - 4.1.2 To prohibit "U" turns at any intersection;
  - 4.1.3 To designate any intersection or other place on a highway as an intersection or place at which no left hand turn or right hand turn shall be made;



- 4.1.4 To designate as a one-way street any roadway or portion thereof;
  - 4.1.5 To designate "School Zones" or "Playground Zones";
  - 4.1.6 To designate truck routes;
  - 4.1.7 To set apart a street, highway or part of a highway and to control entry to any highway by means of a "stop" sign or "yield" sign;
  - 4.1.8 To designate a crosswalk upon any highway;
  - 4.1.9 To designate parking stands for use of any particular class of vehicle;
  - 4.1.10 To close or restrict the use of any highway, either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians;
  - 4.1.11 To prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public place or any portion thereof during such hours as he may determine;
  - 4.1.12 To designate and mark guide lines for angle or parallel parking on any highway or other public place or any portion thereof.
- 4.2 The CAO shall cause a record to be kept of the location of all traffic control devices. Those records shall be open to public inspection during normal business hours.
  - 4.3 Notwithstanding any provision of the Bylaw all traffic control devices placed, erected or marked in the Town of Picture Butte prior to the passing of the Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of Section 4.1.
  - 4.4 No unauthorized person shall place upon any highway or upon any structure abutting a highway any sign, mark or notice relating to parking or the use of the highway.
  - 4.5 No unauthorized person shall remove, deface or alter in any way any traffic control device placed, erected or marked pursuant to this Bylaw.

## **PART 5 – PARADES AND PROCESSIONS**

- 5.1 Any person desiring to hold a parade or procession within the Town of Picture Butte shall, at least 5 working days prior to the time they desire to hold the same, make application in writing to the CAO for a permit and in such application shall furnish to the CAO information with respect to the following, namely:
  - 5.1.1 The name and address of the applicant, and if such applicant is an organization, the names, addresses and occupations of the executive thereof;
  - 5.1.2 The nature and object of such parade or procession;
  - 5.1.3 The day, date and hours during which same will be held;

- 5.1.4 The intended route thereof;
- 5.1.5 The approximate number of persons who will take part therein;
- 5.1.6 The approximate size, number and nature of flags, banners, placards or such similar things to be carried therein and particulars of signs, inspections and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertakes to be responsible for the good order and conduct thereof;
- 5.1.7 Proof of minimally \$2,000,000.00 (two million dollars) in liability insurance with the Town named as "Additional Insured"
- 5.2 The CAO may issue a permit with or without conditions, or for any reason that appears to him/her proper, may refuse to issue a permit.
  - 5.2.1 In the case of a refusal, the applicant has a right of appeal to Council who may:
    - 5.2.1.1 Grant or refuse permission for the parade or procession
- 5.3 Where a permit has been issued pursuant to Section 5.2 the CAO shall fix the hour and route of the parade or procession and give such directions to the applicants in regard to such parade or procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the street or sidewalk and tend to prevent a breach of the peace and may erect or cause to be erected such temporary barriers or traffic control devices as he/she deems necessary.
  - 5.3.1 A copy of the permit will be forwarded to the Police, Peace Officer, Fire Chief, and Director of Operations
- 5.4 If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles, shall obey the order and direction of the Peace Officer so regulating traffic.
- 5.5 Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this Bylaw and shall not drive the vehicle into the intersection until it is safe to do so.
- 5.6 No person driving any vehicle or riding or driving a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.
- 5.7 No person shall take part in the organization or conduct of a parade or procession that forms up, attempts to form up or is carried on without a permit having been issued pursuant to Section 5.2.
- 5.8 No person shall fail or refuse to comply with the conditions set forth in the permit issued pursuant to 5.3.

## **PART 6 - FIRES**

- 6.1 In case of a fire within the Town, any Peace Officer or member of the Fire Department may designate in any manner a line or lines near the location of the fire beyond which no member of the



public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross such line or lines.

- 6.2 The Fire Chief of the Fire Department or any person acting under his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department in an emergency situation.

### **PART 7 – VEHICLES WITH LUGS**

- 7.1 No person shall drive, propel, or move on any highway any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread.

7.1.1 Studded winter snow tires shall be exempt from Section 7.1

### **PART 8 - OFF-HIGHWAY VEHICLES**

- 8.1 No person shall operate an off-highway vehicle, as defined in the *Traffic Safety Act*, within the boundaries of the Town unless such use is expressly permitted by Council or the CAO.

### **PART 9 – COMMERCIAL VEHICLES & HEAVY VEHICLES**

- 9.1 For the purpose of Section 9.2, a “heavy vehicle” means a motor vehicle, alone or together with any trailer, semi-trailer, or other vehicle being towed by the motor vehicle with a registration gross weight of 5,000 kilograms or more and/or exceeding 11.0 metres in total length. Notwithstanding the above, a public passenger vehicle shall be deemed to be excluded from the definition of a “heavy vehicle” while engaged in the transportation of passengers.
- 9.2 No person shall operate a heavy vehicle on a highway within the limits of the Town of Picture Butte other than a highway in the Town of Picture Butte which is designated as a truck route in Schedule "A", which Schedule is hereby incorporated into and made part of this Bylaw.
- 9.3 The following shall be deemed to not be operating a heavy vehicle in contravention of Section 9.2 if the heavy vehicle is being operated on the shortest permitted route between the premises or location concerned and the nearest truck route by:
- 9.3.1 persons delivering or collecting goods or merchandise to or from the premises of bona fide customers;
  - 9.3.2 persons going to or from business premises of the owner of the heavy vehicle concerned;
  - 9.3.3 persons going to or from business premises for the servicing or repairing of the heavy vehicle;
  - 9.3.4 persons pulling a disabled vehicle from a highway prohibited to heavy vehicles;
  - 9.3.5 persons moving a house for which the necessary moving permits have been issued by the Town;
  - 9.3.6 persons driving a heavy vehicles engaged in lawful public works or essential services requiring them by the very nature of such work to deviate from established Truck Routes.



- 9.4 No person shall park any commercial vehicle, bus, truck tractor or tractor trailer of the design capacity of more than one (1) tonne or a length of more than six (6) metres upon any highway except where such parking is expressly permitted.
- 9.5 No person shall park a commercial vehicle or a heavy vehicle within the municipal boundaries of the Town in areas designated in the Land Use Bylaw as residential zones unless permitted under Section 9.3.
- 9.6 Unless a permit is obtained from the CAO, no person shall drive or move or cause to be driven or moved on any street, any vehicle which exceeds the dimension or weight requirements prescribed by the COMMERCIAL VEHICLE DIMENSION AND WEIGHT REGULATION, as amended or substituted, under the *Alberta Traffic Safety Act*.
- 9.7 An Identification Permit shall be obtained from the CAO by:
- 9.7.1 persons moving a house for which the necessary permission has been received by the CAO, upon the payment of a prescribed fee which will be set by resolution of Council.
    - 9.7.1.1 The application for an Identification Permit may be refused if all the requirements of this Bylaw are not met or if there are outstanding taxes owing on the property to be moved.
- 9.8 No person shall utilize engine retarder brakes while operating a commercial vehicle or heavy vehicle within the limits of the Town of Picture Butte.
- 9.9 Designated parking for commercial vehicles and heavy vehicles shall be at the following locations:
- 9.9.1 Shoulder of eastbound and westbound lane on Highway Avenue located adjacent to and across from the Gas King. Parking must be between the signs and must comply with any conditions on the signs. This location is identified on the map on the back of Schedule "A" by the letter "A".
  - 9.9.2 Shoulder of eastbound lane on Highway 25 located between the Community/Senior Centre and the Picture Butte Fire Department's building. Parking must be between the signs and comply with any conditions on the signs. This location is identified on the back of Schedule "A" by the letter "B".
  - 9.9.3 Graveled parking lot located on the corner of Highway Avenue and Factory Drive, adjacent to the UFA and Imperial Oil businesses. Parking must not block or be in any entrance or exit to said businesses as well as in or on any approaches to any highway and must comply with conditions on signs. Overnight parking at this location is permitted. This location is identified on the back of Schedule "A" by the letter "C".

## **PART 10 - MAXIMUM WEIGHTS**

- 10.1 For the purposes of this Section "maximum weight" means:
- 10.1.1 The maximum weight permitted for a vehicle and load pursuant to the official registration certificate issued by the Province of Alberta for such vehicles.



- 10.2 No person shall drive or have on the roadway a vehicle or combination of attached vehicles with a weight including or excluding any load thereon, in excess of maximum weight.
- 10.3 Wherever in his/her opinion, there is a contravention of Section 10.2, a Peace Officer may order the driver or other person in charge or control of a vehicle or combination of attached vehicles suspected of being on a roadway in contravention of such Section to take such vehicle or combination of attached vehicles to the nearest adequate weight scale to determine the weight of such vehicle or combination of attached vehicles and load thereof. The weight slip or slips shall be given to the Peace Officer and may be retained by him/her, and if the weight of any loaded vehicle or combination of attached vehicles is in excess of maximum weight, the Peace Officer, in addition to any prosecution for contravention of Section 10.2, may require that any load or portion thereof in excess of maximum weight shall be removed before the vehicle or combination of attached vehicles is again taken upon a highway.
- 10.4 A weight slip given to a Peace Officer under Section 10.3 and submitted by him/her in evidence in court shall be prima facie proof of the authenticity of the weight slip and of the particulars thereon submitted in evidence and of the accuracy of the weight scale used.
- 10.5 A person driving or in charge or control of a vehicle or combination of attached vehicles suspected by a Peace Officer of being on a roadway in contravention of Section 10.2 shall, when requested by the Peace Officer, produce for such officer's inspection any official registration certificate or interim registration certificate for such vehicle or vehicles that may have been issued by the Government of the Province of Alberta showing the maximum weight of such vehicle or combination of attached vehicles.
- 10.6 Particulars obtained by a Peace Officer from a registration certificate produced to him/her under Section 10.5 and submitted by him/her as evidence in court shall be prima facie proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.

## **PART 11 - PEDESTRIANS**

- 11.1 No person or persons shall stand on any highway, crosswalk or sidewalk in such a manner as to:
- 11.1.1 obstruct vehicular or pedestrian traffic,
  - 11.1.2 annoy or inconvenience any other person lawfully upon such highway, crosswalk, or sidewalk,
  - 11.1.3 obstruct the entrance to any building.
- 11.2 No person shall run upon a roadway in such a manner as to impede traffic.
- 11.3 No person shall stand upon or walk along a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

## **PART 12 - PARKING**

- 12.1 The Council will designate properly marked portions of highways where parking is restricted to any particular class or classes of vehicles. No person shall park a vehicle other than a vehicle of such class or classes on the portion on the portion of a highway as marked.
- 12.2 The Council may designate and cause to be properly marked portions of highways upon which



parking is prohibited at any time. No person shall park where prohibited.

- 12.3 The Council may designate portions of the highway for 15-minute to 20-minute parking of vehicles and cause the same to be properly marked by signs.
- 12.4 No person shall park a vehicle on a portion of highway marked pursuant to Section 12.3, for a time in excess of the period so marked.
- 12.5 No person shall park a vehicle in an alley. Alleys, however, may be used for such period of time as may be reasonable necessary for the loading or unloading of passengers or goods from a vehicle, provided that the vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the lane as to prevent other vehicles or persons from passing along such alley while the loading or unloading of passengers or goods is taking place.
- 12.6 The Council may designate portions of the highway as a passenger loading or unloading space and may cause such space to be marked with a sign designating the area as a "loading zone".
- 12.7 Except when actually taking on or discharging passengers, no person shall park or stand a vehicle for any period of time at a passenger loading zone, at a "no parking" area or in front of a main entrance, exit or doorway of a public building.
- 12.8 The Council may designate and cause to be properly marked by signs, portions of the highway as truck loading or unloading spaces.
- 12.9 No person shall park a vehicle in a truck loading or unloading space for a period of time longer than fifteen minutes.
- 12.10 No person shall park any vehicle upon any land owned by the Town of Picture Butte which the Town uses or permits to be used as a playground, recreation area or public park except in designated parking areas.
- 12.11 No person shall park any vehicle, recreation vehicle, recreation trailer or any other class of trailer in their front yard other than on their driveway.
  - 12.11.1 Refer to the Town of Picture Butte Land Use Bylaw for the definition and regulations pertaining to driveways.
- 12.12 Where parking guidelines are visible on a roadway no driver shall park a vehicle except within the limits of the lines designating a parking stand.
- 12.13 No person shall park his/her vehicle with the side thereof parallel to the curb or edge of the roadway when angle parking is permitted or required by means of a sign or parking guidelines.
- 12.14 When angle parking is permitted or required, a driver shall park his vehicle with one front wheel not more than 500 millimeters from the curb or edge of the roadway and with its sides between and parallel to any two of the visible parking guidelines, or at an angle of between 30 and 60 degrees to the curb or edge of the roadway where no parking guidelines are visible.
  - 12.14.1 A person may park a motor cycle at an angle, other than perpendicular, to the curb or edge of the roadway, and with a wheel of the motor cycle not more than 500 millimeters from the curb or edge of the roadway, and the



motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.

- 12.15 Except for a roadway designated as a cul-de-sac, all parking on any highway will be parallel parking unless specified by a traffic control device.
- 12.16 Notwithstanding Section 12.14 of this Part, no vehicle may be parked at an angle to the curb in a cul-de-sac unless that vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.
- 12.17 When parking on a roadway, a driver shall park his vehicle facing the direction of travel authorized for that portion of the roadway on which the vehicle is parked, with its sides parallel to an its wheels not more than 500 millimeters from the curb or edge of the roadway.
- 12.18 No person shall park any vehicle on any highway within the Town for any period of more than 72 consecutive hours.
- 12.19 No owner or operator of any vehicle incapable of being moved under its own power shall cause or permit such vehicle to be parked on a highway within the Town.
- 12.20 No vehicle operator shall drive or park a vehicle upon any highway in such a manner as to block, obstruct, impeded or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway.
- 12.21 The Council may establish, sign or otherwise designate such parking stalls or zones within the Town as Council deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
- 12.22 The owner, tenant, occupant or person in control of private property within the Town to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage and markings used to so designate such parking spaces shall be in a form similar to that approved and used by the CAO.
- 12.23 The owner or operator of a motor vehicle which is not identified by a disabled persons placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated for disabled parking.
- 12.24 Where, pursuant to Sections 12.22 and 12.23, the vehicle is identified by disabled persons placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated for Disabled Parking.
- 12.25 Except as required or permitted by this Bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:
  - 12.25.1 on a sidewalk, boulevard or median except under special circumstances and by request to the Town, when authorized by the CAO;



- 12.25.2 on a crosswalk or on any part of a crosswalk;
- 12.25.3 within an intersection other than immediately next to the curb in a T intersection;
- 12.25.4 at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted;
- 12.25.5 within 5 metres from the stop sign or yield sign;
- 12.25.6 within 5 metres from any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant.
- 12.25.7 within 1.5 metres from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
- 12.25.8 within 5 metres from the near side of a marked crosswalk;
- 12.25.9 alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
- 12.25.10 on any bridge or culvert or on the approaches to either of them;
- 12.25.11 at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
- 12.25.12 on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway;
- 12.25.13 at or near the site of any fire, accident or other emergency, if stopping or parking would obstruct traffic or hinder emergency vehicles or peace officers, firemen, ambulance drivers or assistants or rescue officers or volunteers;
- 12.25.14 unattended on a highway while it is supported by a jack or similar device and if one or more wheels have been removed from the vehicle or part of the vehicle is raised;
- 12.25.15 which does not display a valid registered license plate or which displays a license plate that is expired.

12.26 No person shall cover a vehicle with a tarp, cover, or other similar device while it is parked on a highway in Town or on any other Town owned or public property.

12.26.1 Boats that are securely tarped shall be exempt from 12.26

12.27 Any person who is empowered to enforce the provisions of this Bylaw is hereby authorized to place an erasable chalk mark on the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.

### **PART 13 - RECREATION VEHICLES, TRAILERS & SPECIAL CLASSES OF VEHICLES**

13.1 No person shall park any Recreation Vehicle or Recreation Trailer upon any highway within the Town for any extended period of time.

13.1.1 Notwithstanding Section 13.1, a person may park a recreation vehicle or recreation

trailer upon the area of the street that is immediately adjoining the owner or operators place of residence. This shall be valid for a period not to exceed 72 hours and for the purposes of cleaning, loading and unloading only. This section is only valid during the common camping season months in this region of May through September provided that in so doing no obstruction is caused to vehicular or pedestrian traffic.

13.1.2 For the purpose of Section 13.1.1 a recreation trailer or recreation vehicle shall be deemed to be continuously parked unless the recreation trailer or recreation vehicle has been moved to a suitable off-street location for at least 48 consecutive hours.

13.1.3 Subject to Section 13.1.1, at no time shall a recreation vehicle or recreation trailer have their slides extended out while parked on any public street in the Town.

13.1.4 A recreation vehicle or recreation trailer parked on a public street shall not be occupied or be used as a dwelling or sleeping accommodation.

13.2 Notwithstanding Section 13.1, no person shall park any other class of trailer (whether designed for occupancy by persons or for the carrying of goods, equipment or livestock) upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles throughout this Bylaw.

13.3 The registered owner will be held liable for any charges or penalties under Part 13.

#### **PART 14 - PARKING ON TOWN PROPERTY**

14.1 No person shall operate or park any vehicle upon any land owned by the Town which includes but is not limited to a playground, boulevard, recreation or public park, or any utility right-of-way, except on such part thereof as the CAO may designate by a sign or signs for vehicle use or parking.

14.2 Whether a sign exists or not, the CAO or a Peace Officer has the authority to ask someone to remove their vehicle from Town Property at any time for any reason.

#### **PART 15 - TOWN PARKING LOTS**

15.1 Council may, by resolution, designate such Town owned lands as it deems necessary as Town parking lots.

15.2 No person shall park a vehicle in a Town owned parking lot in contravention of the prohibitions stated on any sign.

15.3 No person shall continue to park in a Town parking lot if asked to leave by a Town employee or a Peace Officer.

15.4 No person shall store any vehicle in any Town parking lot without a permit or authorization from the Chief Administrative Officer. A vehicle shall be deemed to be stored when it remains in the parking lot for 24 consecutive hours or longer. Any vehicle so stored may be removed and stored



by the Town and the costs thereof shall be charged to and shall be payable by the owner, in addition to any fine or penalty imposed in respect to any such violation.

- 15.5 The Town shall not be liable for any loss or damage howsoever caused that may occur to any personal property, including a vehicle while any vehicle is parked on any Town parking lot, upon any Town lands, or as a result of any removal and/or storage pursuant to contravening the regulations found under Part 15.

## **PART 16 - TEMPORARY CLOSING OF HIGHWAYS**

- 16.1 In any case where by reason of any emergency or of any special circumstances which in the opinion of the CAO makes it desirable and in the public interest to do so, the CAO may:
- 16.1.1 temporarily close in any area of the Town, any highway in whole or in part to traffic, or
  - 16.1.2 temporarily suspend in any area of the Town, parking privileges granted by the provision of this or any other By-Law, and the CAO may for such period of time as he deems necessary to meet such emergency or special circumstances, take such measure for the temporary closing of such highway or the suspension of parking privileges and place barricades or post appropriate notices on or near the highway concerned as he may consider to be necessary in the circumstances.
- 16.2 The Town, after clearly posting or signing a roadway or public parking lot a minimum of twelve (12) hours prior may cause a roadway or public parking lot to be cleared of vehicles for the purpose of street cleaning, snow removal, parades or processions, or highway repair. In such cases, the Town may tow and impound vehicles blocking street cleaning, snow removal, parades or processions, or repair equipment at the vehicle owner's expense. All costs for the removal and storage are a lien upon the vehicle, which may be enforced in the manner approved by the Possessory Liens Act R.S.A. 2000 c. P-19.

## **PART 17 - MISCELLANEOUS OFFENSES**

- 17.1 No person shall drive, propel or move on or over any highway within the Town, any vehicle or other type of equipment or thing(s) which damages or is likely to damage the highway.
- 17.2 No person shall lay or place an extension cord for any reason, across a sidewalk or boulevard.
- 17.2.1 A person will be deemed not to be in contravention of Section 17.2 if the electrical extension cord meets the following conditions:
    - 17.2.1.1 conveyed above the surface of the sidewalk or boulevard at a height of not less than 2.15 metres;
    - 17.2.2.2 of a grade approved for outdoor use; and
    - 17.2.2.3 supported and conveyed above a sidewalk or boulevard by a sturdy device of a nonconductive material not susceptible to wind.

17.2.2 The Town may issue an order in regards to the removal of an electrical extension cord and portable supporting device.

17.2.3 Upon failure of the owners, lessees, tenants or agents of the owner to comply with the aforementioned order, the Town may:

17.2.3.1 enter upon the property immediately to remove the electrical extensions cord and portable supporting device if a hazard exists;

17.2.3.2 within seven (7) days of the order, enter upon the property to remove the electrical extension cord and portable supporting device; and

17.2.3.3 charge the cost of the work done to remove the electrical cord and portable supporting device against the property as taxes due and owing and collectible in the same manner as taxes.

17.3 Every person shall be guilty of an offence who:

17.3.1 Coasts on any highway on a sled, toboggan, skis, or roller blades which is being towed by a vehicle,

17.3.2 Washes, repairs, or services a vehicle on or near any roadway, sidewalk, boulevard, or alley within the Town in a manner that allows water, slush, ice, mud, cement, refuse, debris, tar, oil, grease, antifreeze or other vehicle fluids to flow onto or enter upon the roadway, sidewalk, boulevard or alley, or enter any storm water system. Person(s) responsible for such shall be liable for clean-up and/or repair costs.

17.3.3 Places or deposits, or allows the placement or deposit, of any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other matter on a roadway, alley, sidewalk, or boulevard within the Town, excepting vehicles and materials for which specific permission has been granted by the CAO. Person(s) responsible for such shall be liable for clean-up and/or repair costs

17.4 No owner or occupant of private property in the Town shall build, place, erect or continue the existence of fences, walls, or other objects on private property to or adjacent to and within 6.1 metres from a street intersection when such fences, walls or other objects interfere with good visibility for safe traffic flow.

17.4.1 A Peace Officer may serve by regular or registered mail a notice in writing upon any person required to comply with the provisions of 17.4.

17.4.2 The notice in writing shall set forth:

17.4.2.1 A description of the land on or adjacent to which the remedial action is required;

17.4.2.2 The condition that is not in compliance with the Bylaw, including reference to the applicable provision of the Bylaw;

17.4.2.3 Remedial action required;

17.4.2.4 A deadline for compliance.



17.4.2.5 The person served with a notice pursuant to the provisions of 17.4 may appeal the notice in writing within 14 days of the issuance of the notice to the Municipal Subdivision and Development Appeal Board upon payment of the applicable fee.

17.4.2.6 No person shall fail to satisfactorily comply with a notice issued pursuant to Section 17.4 within the specified deadline.

17.4.2.7 In default of the owner or occupant failing to comply with a notice from a Peace Officer or an order from the Municipal Subdivision and Development Appeal Board pursuant to the provisions of 17.4, the Town may do the work, and where applicable do the work at the expense of the person in default.

17.4.2.8 The expenses incurred by the Town for the work done, where applicable may be recovered with costs by action in any Court of competent jurisdiction or in a like manner as property taxes.

17.5 No Person being the Owner of a Property within the Town of Picture Butte shall permit or allow any Tree(s) located on their property to constitute a hazard to pedestrians or motor vehicle traffic. When branches or foliage from Tree(s) are a public safety hazard or are not providing enough clearance over streets, alleys, pathways or sidewalks, the Owner of the Property must prune or remove the trees for the following issues:

17.5.1 interference with distribution of light from street lamps; or

17.5.2 interference with the safe view of a traffic control device that cannot reasonably be placed otherwise or elsewhere; or

17.5.3 trees which are dead or partially dead; or

17.5.4 trees which are leaning over the street such as to provide less than 4.27 metres (14 feet) vertical clearance as measured at the curb line; or

17.5.5 trees which are growing over a sidewalk such as to provide less than 2.44 metres (8 feet) vertical clearance; or

17.5.6 trees which are growing over a sidewalk or curb such as to provide less than 30.5 centimeters (1 foot) horizontal clearance from the edge of a sidewalk or curb; or

17.5.7 trees which have been vandalized; or

17.5.8 trees which have lost their structural stability and are deemed a hazard.

17.6 Any notice served pursuant to this Bylaw will be deemed to have been sufficiently served in the case of an offence if:

17.6.1 Served personally upon the person to whom it is directed, or

17.6.2 Posted or left at a conspicuous location on the property or vehicle, or

17.6.3 If mailed by regular or registered mail to the address of the person to whom the notice was directed, or to the owner of the private property involved using the address on record with the Town of Picture Butte, or to the registered owner of the



vehicle using the address on record with the Alberta Motor Vehicle Branch.

## **PART 18 – SCHOOL BUSES**

- 18.1 School bus operators shall only be permitted to pick-up and drop-off students at the following locations:
- 18.1.1 In front of any public or separate school within the Town of Picture Butte.
  - 18.1.2 At any designated and marked bus stop locations within the Town of Picture Butte. See Schedule “C”.
- 18.2 Unless permitted by a sign, school buses shall not be permitted to be parked on public streets within the Town at any time unless engaged in the picking-up or dropping-off of passengers.
- 18.3 The Town allows for school busses to be parked on private property during the calendar months of September – June. The school bus must be parked entirely on the private property of the owner or operator of the school bus and must not encroach on or over Town or other public property.
- 18.3.1 Subject to 18.3, if the Town receives two or more written complaints from separate surrounding neighbours in regards to a school bus being parked in accordance with 18.3, the school bus in question must be removed from that property and taken to an alternative suitable location.
- 18.4 Contravention of the regulations found in PART 18 shall be punishable by a fine amount set out in Schedule “B”. Fines will be issued to the operator of the school bus. Any charges or costs incurred by the Town for having to tow a school bus will be sent to the school division that owns and/or is in control of the school bus.

## **PART 19 – HORSES AND HORSE DRAWN VEHICLES**

- 19.1 The use of horses and horse drawn vehicles shall be limited in the Town to be operated on the truck route found in Schedule “A” of this Bylaw. The rider, driver, operator or person in charge of any horse or horse drawn vehicle shall remain upon such horse or horse drawn vehicle while it is in motion, or shall walk beside the horse or horse drawn vehicle.
- 19.1.1 Subject to 19.1, horses and horse drawn vehicles shall be permitted to be off of the truck route, found in Schedule “A”, during an approved permit for a parade or procession under Part 5 of this Bylaw or during Jamboree Days or similar events as approved by the CAO.
- 19.2 The rider, driver, operator or person in charge of any horse or horse drawn vehicle must be capable of maintaining effective control of the animal(s) at all times.
- 19.3 No horse or horse drawn vehicle shall interfere with or cause safety concerns for other traffic, vehicles and pedestrians.
- 19.4 The rider, driver, operator or person in charge of any horse or horse drawn vehicle is responsible to remove any manure deposited by the horse from any highway or public property.



## **PART 20 – PENALTIES AND POWERS OF PEACE OFFICERS**

### **PROSECUTION OF OFFENCES**

- 20.1 Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Bylaw or the regulations for which a penalty is not otherwise provided is liable to a fine of not less than Two Hundred Fifty (\$250.00) Dollars and of not more than Two Thousand Five Hundred (\$2,500.00) Dollars and in default of payment is liable to imprisonment for a term not exceeding 6 months or to imprisonment for a term not exceeding 6 months without the option of a fine.
- 20.2 The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs for which he is liable under the provisions of this Bylaw.
- 20.3 Where a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw or as shown on Schedule “B”, the owner of the vehicle is guilty of an offence and liable for the contravention and the penalty provided herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.
- 20.3.1 Where any Peace Officer believes that a person has contravened any provision of this Bylaw he may serve upon:
- 20.3.1.1 such person a Violation Ticket referencing the section contravened or;
  - 20.3.1.2 the registered owner of the motor vehicle a Violation Ticket referencing Section 160 (1) of the Act and the section of the Bylaw contravened
- in accordance with the provisions of the *Provincial Offences Procedure Act* R.S.A. 2002 c. P-34.
- 20.4 The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule “B” of this Bylaw, said Schedule being hereby incorporated into and made part of this Bylaw.
- 20.5 Notwithstanding Part 20(20.3), a Peace Officer may issue a Municipal Violation Tag or Breach of Bylaw Notice, in a form approved by the CAO, referencing the section of the Bylaw contravened, to the alleged offender, or to the registered owner of any vehicle involved in a contravention of this Bylaw.
- 20.6 Service of any such notice or tag shall be sufficient if it is:
- 20.6.1 personally served
  - 20.6.2 served by regular or registered mail
  - 20.6.3 attached to the vehicle in respect of which the offence is alleged to have been committed.
- 20.7 The penalty payable to the Town in respect of a contravention of this Bylaw, to be indicated on any such Parking Violation Tag or Breach of Bylaw Notice issued, is as provided for in Schedule “B” of this Bylaw. Upon payment to a person authorized by the Town Council to receive such payment, an official receipt for the payment shall be issued and such payment shall be accepted in



lieu of prosecution.

- 20.8 Where payment of the penalty for a tag or notice issued for breach of any of the sections of this Bylaw is received within the time allowed for payment by a person authorized by the Town to receive such payment, such payment shall be accepted in lieu of prosecution.
- 20.9 If the person upon whom any such tag is served fails to pay the required sum within the time limit, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
- 20.10 Nothing in this Section shall:
- 20.10.1 Prevent any person from exercising his right to defend any charge of committing a breach of any of the provisions of this Bylaw.
  - 20.10.2 Prevent any Peace Officer in lieu of serving a Violation Ticket, notice or tag or any other person from laying information or a complaint against another person for committing a breach of any of the sections listed in the said Schedules, or
  - 20.10.3 Prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this Bylaw or not) for breach of any of the sections listed in the said Schedules.
- 20.11 Where any person has made payment pursuant to the provisions of this section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.
- 20.12 No person other than the owner or driver of a vehicle shall remove any Violation Ticket, notice or tag placed on or fixed to such vehicle by a Peace Officer in the course of his/her duties.
- 20.13 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.

#### REMOVAL AND IMPOUNDMENT OF VEHICLES

- 20.14 A peace officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- 20.14.1 operated or parked in contravention of any provision of this Bylaw; or
  - 20.14.2 where emergency conditions may require such removal from a highway.
- 20.15 Such vehicle or trailer may be removed to a place designated by the Chief Administrative Officer, where it will remain until claimed by the owner thereof or his agent.
- 20.16 No impounded vehicle shall be released to its owner or his agent until the impounding charges and removal charges on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The Town is not responsible for impounding, towing or removal charges.

## **PART 21 - SEVERABILITY**

- 21.1 It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provisions of this Bylaw be declared invalid all other provisions thereof shall remain valid and enforceable.

## **PART 22 - REPEAL**

- 22.1 Bylaw #398-71, Bylaw #576-82, Bylaw #795/06 and Bylaw #831/13 and any amendments thereto of the Town of Picture Butte are hereby rescinded.

## **PART 23 - COMMENCEMENT DATE**

- 23.1 This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 22 DAY OF Aug, 2016

READ A SECOND TIME THIS 26 DAY OF Sept, 2016

READ A THIRD TIME AND FINALLY PASSED THIS 26 DAY OF Sept, 2016

  
\_\_\_\_\_  
MAYOR

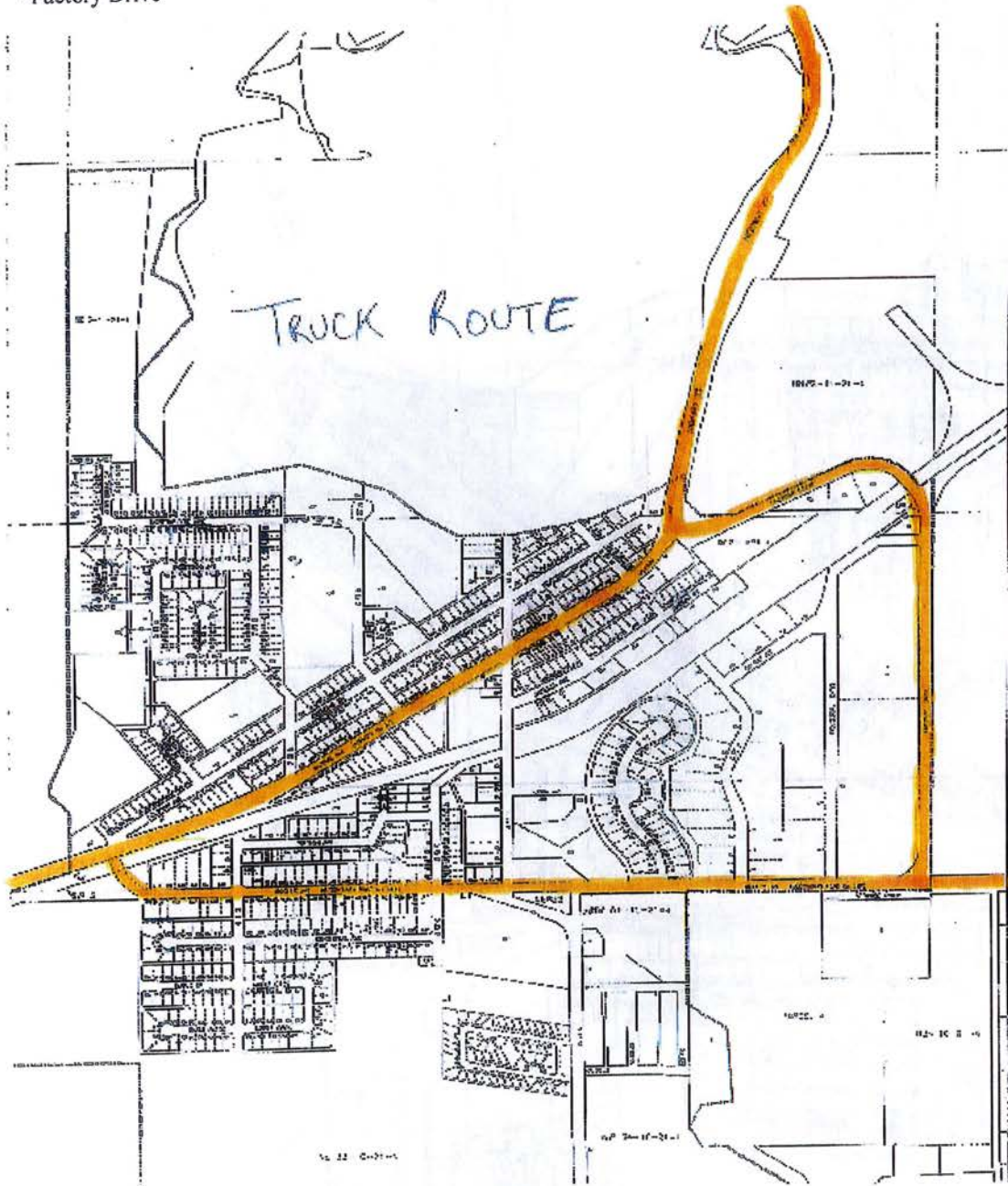
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



## SCHEDULE "A"

The Truck Route in the Town of Picture Butte shall be designated to be the following:

- Highway Avenue
- Rogers Avenue
- Factory Drive





## **SCHEDULE "B"**

<b>Part &amp; Section</b>	<b>Description of Offence</b>	<b>Penalty</b>
Part 4, Section 4.4	Placing of unauthorized traffic control device	<b>\$100.00</b>
Part 4, Section 4.5	Alter or deface a traffic control device	<b>\$150.00</b>
Part 5, Section 5.6	Crossing through procession or parade	<b>\$100.00</b>
Part 5, Section 5.7	Take part in parade or procession without permit	<b>\$100.00</b>
Part 5, Section 5.8	Failing to comply with conditions of parade permit	<b>\$150.00</b>
Part 6, Section 6.1	Crossing a Fire Line	<b>\$175.00</b>
Part 7, Section 7.1	Use of a vehicle with lugs on any highway	<b>\$250.00</b>
Part 8, Section 8.1	Non-permissible use of Off-Highway Vehicle	<b>\$75.00</b>
Part 9, Section 9.2	Commercial or Heavy vehicle off of designated truck route	<b>\$200.00</b>
Part 9, Section 9.4	Improper parking of a commercial or heavy vehicle	<b>\$150.00</b>
Part 9, Section 9.5	Parking a commercial or heavy vehicle in a residential zone	<b>\$125.00</b>
Part 9, Section 9.6	Operating an over-dimensional vehicle within Town without a permit	<b>\$150.00</b>
Part 9, Section 9.8	Use of engine retarder brakes in Town limits	<b>\$115.00</b>
Part 10, Section 10.2	Drive or have on a roadway a vehicle in excess of maximum weight	<b>\$250.00</b>
Part 11, Section 11.1	Obstructing or annoying vehicular or pedestrian traffic	<b>\$75.00</b>
Part 11, Section 11.2	Impeding traffic	<b>\$75.00</b>
Part 11, Section 11.3	Soliciting a ride from the driver of any private vehicle	<b>\$75.00</b>
Part 12, Section 12.1	Parking in a restricted area	<b>\$100.00</b>
Part 12, Section 12.2	Parking when prohibited	<b>\$75.00</b>
Part 12, Section 12.4	Parking over time limit	<b>\$75.00</b>
Part 12, Section 12.5	Parking in an alley	<b>\$75.00</b>
Part 12, Section 12.7	Parking in a passenger loading zone	<b>\$75.00</b>
Part 12, Section 12.9	Parking in a truck loading zone in excess of time limit	<b>\$75.00</b>
Part 12, Section 12.10	Unauthorized parking on Town owned land	<b>\$100.00</b>
Part 12, Section 12.11	Parking in front yard off of driveway	<b>\$100.00</b>
Part 12, Section 12.12	Parking outside of lines designating a parking stand	<b>\$75.00</b>
Part 12, Section 12.13	Not angle parking when required	<b>\$75.00</b>
Part 12, Section 12.14	Improper angle parking	<b>\$75.00</b>
Part 12, Section 12.15	Failing to park parallel when required	<b>\$75.00</b>
Part 12, Section 12.16	Parking causing interference in cul-de-sac	<b>\$75.00</b>
Part 12, Section 12.17	Improper parking	<b>\$75.00</b>
Part 12, Section 12.18	Parking a vehicle on a highway for a continuous period of time exceeding seventy-two (72) consecutive hours	<b>\$100.00</b>
Part 12, Section 12.19	Leaving a vehicle incapable of moving under its own power on a highway	<b>\$75.00</b>
Part 12, Section 12.20	Leaving a vehicle parked on any highway in such a manner that it blocks, obstructs, impedes or hinders traffic.	<b>\$75.00</b>
Part 12, Section 12.21	Unauthorized parking in a designated disabled parking stall or zone	<b>\$100.00</b>
Part 12, Section 12.22	Unauthorized parking in a designated disabled parking stall or zone	<b>\$75.00</b>
Part 12, Section 12.24	Failing to display disabled parking placard	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.1)	Stop or parked on a sidewalk, boulevard or median	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.2)	Stop or parked on a crosswalk or any part of a crosswalk	<b>\$75.00</b>
Part 12, Section 12.25 (12.25.3)	Stop or parked unlawfully within a T intersection	<b>\$75.00</b>

Part 12, Section 12.25 (12.25.4)	Stop or parked within 5 meters of an intersection	\$75.00
Part 12, Section 12.25 (12.25.5)	Stop or parked within 5 meters of a stop or yield sign	\$75.00
Part 12, Section 12.25 (12.25.6)	Stop or parked within 5 meters of any fire hydrant	\$75.00
Part 12, Section 12.25 (12.25.7)	Stop or parked within 1.5 meters of garage/driveway/private road	\$75.00
Part 12, Section 12.25 (12.25.8)	Stop or parked within 5 meters of marked crosswalk	\$75.00
Part 12, Section 12.25 (12.25.9)	Stop or parked along excavation/obstruction to obstruct traffic	\$75.00
Part 12, Section 12.25 (12.25.10)	Stop or parked on bridge/culvert or approach	\$75.00
Part 12, Section 12.25 (12.25.11)	Stop or parked contrary to traffic control device	\$75.00
Part 12, Section 12.25 (12.25.12)	Stop or parked on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway	\$75.00
Part 12, Section 12.25 (12.25.13)	Stop or parked at emergency scene to obstruct emergency vehicles or emergency personnel	\$75.00
Part 12, Section 12.25 (12.25.14)	Stop or parked an unattended vehicle on a highway while supported by a jack or similar device	\$75.00
Part 12, Section 12.25 (12.25.15)	Stop or parked a vehicle on a roadway which does not have a valid license plate attached to it or which displays an expired license plate on it	\$75.00
Part 12, Section 12.26	Covering a vehicle with a tarp, cover or other similar device while it is parked on a Town highway or other Town owned or public property	\$100.00
Part 13, Section 13.1	Unauthorized parking of a Recreation Vehicle or Recreation Trailer on a highway	\$75.00
Part 13, Section 13.1(13.1.1)	Parking a Recreation Vehicle or Recreation Trailer in excess of time limit	\$100.00
Part 13, Section 13.1(13.1.3)	Recreation Vehicle or Recreation Trailer having its slides extended out while parked on a public street	\$100.00
Part 13, Section 13.1(13.1.4)	Occupying a recreation vehicle while parked on a highway	\$100.00
Part 14, Section 14.1	Illegally parked on Town property	\$100.00
Part 15, Section 15.2	Parked contrary to a signs terms that is posted on Town property	\$100.00
Part 15, Section 15.4	Storing a vehicle in a Town owned parking lot	\$100.00
Part 17, Section 17.2	Placing or laying an extension cord on or across a sidewalk or boulevard	\$75.00
Part 17, Section 17.3	Coasts on a highway on a sled, toboggan, skis, or roller blades which	



(17.3.1)	is being towed by a vehicle	<b>\$100.00</b>
Part 17, Section 17.3 (17.3.2)	Allowing vehicle fluids to flow onto or enter upon a roadway, sidewalk/boulevard/alley or enter any storm water system	<b>\$100.00</b>
Part 17, Section 17.3 (17.3.3)	Allowing the placement or deposit of any non-permissible material on a roadway/alley/sidewalk/boulevard within the Town	<b>\$100.00</b>
Part 17, Section 17.5	Allowing tree(s) to constitute a hazard to pedestrians or motor vehicle traffic.	<b>\$100.00</b>
Part 18, Section 18.1	Failing to pick-up or drop-off students at correct location	<b>\$150.00</b>
Part 18, Section 18.2	School bus unlawfully parked on public street	<b>\$100.00</b>
Part 18, Section 18.3(18.3.1)	School bus unlawfully parked	<b>\$100.00</b>
Part 19, Section 19.1	Unlawful operation of a horse or horse drawn vehicle	<b>\$75.00</b>
Part 19, Section 19.2	Failing to maintain effective control of horse or horse drawn vehicle	<b>\$75.00</b>
Part 19, Section 19.3	Allowing a horse or horse drawn vehicle to interfere with or cause safety concerns for other traffic	<b>\$100.00</b>
Part 19, Section 19.4	Failing to remove any manure deposited by a horse or horse drawn vehicle from any highway, public or private property	<b>\$125.00</b>

## **SCHEDULE "C"**

### **Designated School Bus Stops:**

- 7<sup>th</sup> Street N. between Crescent Avenue and Gibbons Avenue, directly across from St. Catherine's School identified on the attached diagram as the letter **"A"**
- Northridge Avenue between 7<sup>th</sup> Street N. and 6<sup>th</sup> Street N, north of Dorothy Dalglish School Grounds identified on the attached diagram as the letter **"B"**
- Crescent Ave. between 4<sup>th</sup> and 5<sup>th</sup> Street N., south of church on corner of 4<sup>th</sup> Street N. and Crescent Ave. identified on the attached diagram as the letter **"C"**
- Cowan Avenue between 4<sup>th</sup> Street S. and 3<sup>rd</sup> Street S., across from the Lions Park identified on the attached diagram as the letter **"D"**
- 6<sup>th</sup> Street S. between Centennial Avenue and Maple Crescent, beside the United Church identified on the attached diagram as the letter **"E"**

**NOTE: See the Attached Diagram on Reverse Side**

## SCHEDULE "D"



**Town of Picture Butte**

### Vehicle Tow Report

Occurrence Number \_\_\_\_\_

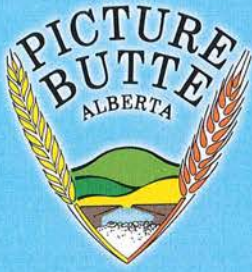
Date \_\_\_\_\_

Time \_\_\_\_\_

Tow Invoice Number (office use only) \_\_\_\_\_

Reason For Tow	Towing Authority Traffic Safety Act Section <input type="radio"/> 69 <input type="radio"/> 142 <input type="radio"/> 172 <input type="radio"/> 77 <input type="radio"/> 170 <input type="radio"/> other <input type="radio"/> 127 <input type="radio"/> 171	Seizing Member Name and Number
<b><u>Owner Information</u></b>		
Owner's Name		Phone (Home/Work)
Address		DOB
<b><u>Driver Information</u></b>		
Driver's Name (If Different From Above)		Phone (Home/Work)
Address		DOB
<b><u>Vehicle Information</u></b>		
Towed Vehicle Type	Make	Model
		Year
		Colour
License Plate	Province	Vehicle Identification Number
Damage		
Towed From		
Towed To		
<b><u>Vehicle Contents</u></b>		
Keys	Stereo/Radio	Other
Radar Detector	Cellular Phone	Other
Tools	Other	Other
<b><u>Charges</u></b>		
Towing	Dollies	Clean Up
Winch	Drop Linkage	Other
Stand By	Unlock	Other
<b><u>Vehicle Release</u></b>		
Release Conditions:      Immediate      Pending Court Order      Other		
Vehicle Released To:		Storage Facility
Owner / Agent / Sold		
Date	ID Presented	Registered Owner's Name      Charge To
Name		Member Releasing Vehicle Name and Number
Address		Received the above described vehicle from the Storage Compound
Phone	DOB	





# Picture Butte Picture Perfect!

September 27, 2016

**David Shaw**  
Transportation Services Supervisor  
Palliser Regional Schools  
101, 3305 – 18 Avenue North  
Lethbridge, AB T1H 5S1

E-mail: [david.shaw@pallisersd.ab.ca](mailto:david.shaw@pallisersd.ab.ca)

**Re: Approval for Additional Bus Stop Locations for Special Needs Students**

Hi David,

As per your request, please note that Council has authorized the bus stop locations below for the sole purpose of providing busing for special needs students.

- 504 Centennial Avenue
- 514 Centennial Avenue
- 611 Centennial Avenue
- 134 5<sup>th</sup> Street

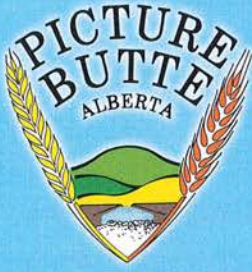
Please be advised that the Town will enforce the attached bylaw 852-16, and provide an exemption for the above-mentioned addresses. Should you require a change to the locations for special needs students, we request that you provide this information in writing to the CAO.

Thank you for working with the Town on this matter.

Sincerely,



Larry Davidson  
CAO



# Picture Butte

## Picture Perfect!

September 27, 2016

**David Shaw**  
Transportation Services Supervisor  
Palliser Regional Schools  
101, 3305 – 18 Avenue North  
Lethbridge, AB T1H 5S1

E-mail: [david.shaw@pallisersd.ab.ca](mailto:david.shaw@pallisersd.ab.ca)

**Re: Approval for Additional Bus Stop Locations for Special Needs Students**

Hi David,

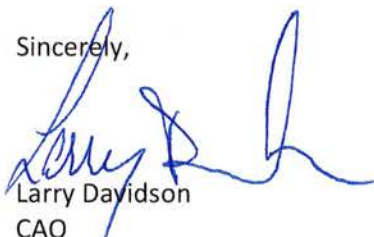
As per your request, please note that Council has authorized the bus stop locations below for the sole purpose of providing busing for special needs students.

- 504 Centennial Avenue
- 514 Centennial Avenue
- 611 Centennial Avenue
- 134 5<sup>th</sup> Street

Please be advised that the Town will enforce the attached bylaw 852-16, and provide an exemption for the above-mentioned addresses. Should you require a change to the locations for special needs students, we request that you provide this information in writing to the CAO.

Thank you for working with the Town on this matter.

Sincerely,



Larry Davidson  
CAO



TOWN OF PICTURE BUTTE

BYLAW NO. 857-17

A BYLAW OF THE TOWN OF PICTURE BUTTE to update and rescind the attached bylaws for the purpose of updating our bylaw directory.

WHEREAS Council wishes to maintain an up to date directory of municipal bylaws; and

WHEREAS Council wishes to rescind outdated bylaws, which are no longer enforced; and

NOW THEREFORE, pursuant to Section 63(2) (b) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

That the following Bylaws be rescinded.

Bylaw #	Bylaw Name	Description	Comments
3/43	Sanitary Health Officer	Appointment, Duties, Regulations	Outdated
14/41	Electrical Wiring & Inspection	Licensing of All Persons doing Same	Outdated
38/46	Half-Day Holiday	Proclamation that April 30, 1946 from Noon on be declared a Civic Holiday	Not practised
228/61	Water Meter Installation	Installation of water meters in Commercial and Public Buildings	Bylaw 260-62 updates this
394/70	Social Services program	Agreement between the Town, Town of Coaldale with respect to establishing and operating of a Preventative Social Services Program	Outdated
398/71	Snow Vehicles	Regulations concerning operation of snow vehicles within the Town limits	852-16 Traffic Bylaw covers this
442/74	Senior Citizens Housing	Authorize a Master Agreement under the Senior Citizens Housing Act	Old agreement with Minister
576/82	Recreation Facilities	Regulation of Public Facilities concerning Parade, Signs, Disturbing, Destructing	Laws cover content
3/83	Pasteurization Bylaw	Requirement that all Milk sold be pasteurized	Outdated
635/86	C.W.N.G. Franchise	Renew Agreement	Outdated
757/99	Assessment Review Board	To appoint an assessment review board for the year 1999	Appointing members to board

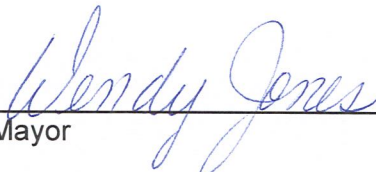
This Bylaw shall come into effect on the final day of passing thereof.


MOVED by Councillor Feist that Bylaw No. 857-17 be read a first time this 9<sup>th</sup> day of January, 2017.  
CARRIED

MOVED by Deputy Mayor Moore that Bylaw No. 857-17 be read a second time this 9<sup>th</sup> day of January, 2017.  
CARRIED

MOVED by Councillor Watson to allow third reading of Bylaw No. 857-17.  
CARRIED UNANIMOUSLY

MOVED by Councillor de Kok that Bylaw No. 857-17 be read a third time this 9<sup>th</sup> day of January, 2017.  
CARRIED

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 858-17**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$20,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$20,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.



6. This Bylaw comes into force on the final passing thereof and rescinds bylaw 845-16.

MOVED by Deputy Mayor Moore to approve first reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

MOVED by Councillor Watson to approve second reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

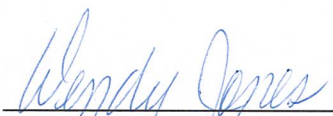
MOVED by Councillor de Kok to approve third and final reading of Bylaw #858-17, being a Bylaw of the Town of Picture Butte, to allow Council to borrow certain sums of money for the purpose of a revolving line of credit for operation expenditures and Mastercard credit for daily purchases, this 13<sup>th</sup> day of February, 2017.

#### Certificate

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the \_\_13<sup>th</sup>\_\_ day of \_\_February\_\_, 2017 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this \_\_13<sup>th</sup>\_\_ day of \_\_February\_\_, 2017.

Seal

  
\_\_\_\_\_  
Wendy Jones  
Chief Elected Official

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

## TOWN OF PICTURE BUTTE

### BYLAW # 861-17

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2017 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 24, 2017; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2017 total **\$3,355,488.22**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,101,790.25**, and the balance of **\$1,253,697.97** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 294,232.07	
Non-Residential	<u>\$ 74,306.46</u>	
		\$ 368,538.53
Opted Out School Boards:		
Residential / Farmland	\$ 48,827.44	
Non-Residential	<u>\$ 28,908.46</u>	
		<u>\$ 77,735.90</u>
Total School Requisitions		\$ 446,274.43
Green Acres Foundation (Seniors Requisition)		<u>\$ 21,599.78</u>
<b>Total Requisitions for 2017</b>		<b>\$ 467,874.21</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 119,856,329.00
Residential / Farm Land – Separate	\$ 18,147,840.00
Non-Residential / Linear – Public	\$ 19,713,712.00
Non-Residential / Linear – Separate	\$ 7,710,638.00
Machinery and Equipment – Public	\$ 1,930,400.00
Machinery and Equipment – Separate	<u>\$ 54,540.00</u>
<b>Total Assessment for 2016</b>	<b>\$ 167,413,459.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 997,837.16	\$138,004,169.00	7.23049
Non-Residential and M&E	\$ 255,860.82	\$ 29,409,290.00	8.70000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 297,946.46	\$119,856,329.00	2.48586
Non-Residential	\$ 74,194.98	\$ 19,713,712.00	3.76362
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 45,113.05	\$ 18,147,840.00	2.48586
Non-Residential	\$ 29,019.94	\$ 7,710,638.00	3.76362
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 21,599.78	\$167,413,459.00	0.12902
<b>GRAND TOTAL</b>	<b>\$ 1,721,572.19</b>		

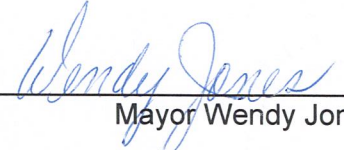
2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 8<sup>th</sup> day of May, 2017

Read a second time in Council assembled this 8<sup>th</sup> day of May, 2017

Council unanimously resolved to proceed to third reading this 8<sup>th</sup> day of May, 2017

Read a third time in Council assembled this 8<sup>th</sup> day of May, 2017

  
\_\_\_\_\_  
Mayor Wendy Jones

  
\_\_\_\_\_  
CAO Keith Davis



TOWN OF PICTURE BUTTE  
BYLAW NO. 863-17

A Bylaw of the TOWN OF PICTURE BUTTE in the Province of Alberta to regulate the printing of ballots for the election of the Chief Elected Official and Councillors.

WHEREAS The Local Authorities Election Act, Revised Statutes of Alberta 2000 Chapter L-21 (LAEA), allows the municipality, by bylaw, to establish certain municipal election requirements and procedures, and

WHEREAS the Council of the Town of Picture Butte deems it desirable,

NOW THEREFORE the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

This Bylaw is hereby cited as the Town of Picture Butte 'Elections Bylaw'.

1.     BALLOTS – LAEA Section 43

- 1.1     Each ballot shall contain the name of each candidate.
- 1.2     The names of the candidates on each ballot shall be arranged alphabetically in order of the surnames, and if two or more candidates have the same surname, the names of those candidates shall be arranged alphabetically in the order of their given names.
- 1.3     Ballots shall be printed in as many lots as there are candidates for the office.
- 1.4     In the first lot the names of the candidates shall appear in alphabetical order as per section 1.1.
- 1.5     In the second lot the names shall appear in the same order, except that the first name in the first lot shall be placed last.
- 1.6     In each succeeding lot, the order shall be the same as that of the preceding lot, except that the first name in the preceding lot shall be placed last.
- 1.7     Tablets of ballots to be used at each voting station shall be made up by combining ballots from the different lots in regular rotation so that no two consecutive electors may receive ballot papers from the same lot and so that each candidate's name shall appear first and in each other position substantially the same number of times on the ballots used.

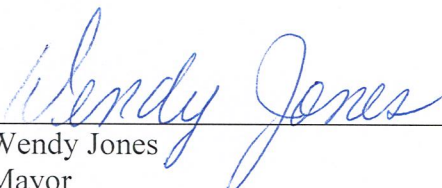
This Bylaw comes into force and effect upon the final reading thereof and shall remain in effect until repealed.


MOVED by Councillor Watson that Bylaw No. 863-17 be read a first time this 14<sup>th</sup> day of August, 2017.  
CARRIED

MOVED by Councillor Feist that Bylaw No. 863-17 be read a second time this 14<sup>th</sup> day of August, 2017.  
CARRIED

MOVED by Councillor de Kok that permission be granted to give third reading to Bylaw No. 863-17 at this meeting.  
CARRIED UNANIMOUSLY

MOVED by Deputy Mayor Moore that Bylaw No. 863-17 be read a third time and finally passed this the 14<sup>th</sup> day of August 2017.  
CARRIED

  
\_\_\_\_\_  
Wendy Jones  
Mayor

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

**BYLAW NO. 865-18**  
**TOWN OF PICTURE BUTTE**  
**IN THE PROVINCE OF ALBERTA**

Bylaw No. 865-18 of the Town of Picture Butte is for the purpose of adopting the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcends municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe area and within parts of the town and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

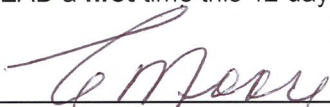
AND WHEREAS both the Councils of the Town of Picture Butte and Lethbridge County agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte duly assembled hereby enacts the following:

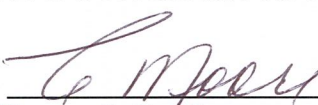
1. Council shall adopt the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan in consultation and as agreed to with Lethbridge County.
2. This plan, upon adoption, shall be cited as the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan Bylaw No. 18-009 and Bylaw No. 865-18.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 12 day of March, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

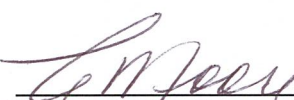
  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **second** time this 9 day of April, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **third** time and finally PASSED this 9 day of April, 2018.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 866-18

Being a bylaw to prohibit certain activities creating noise and to abate the incidence of noise and restrict the hours when certain sounds may be made.

WHEREAS the Municipal Government Act, R.S.A. 2000, Chapter M-26, provides that a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property.

AND WHEREAS the incidence of noise in the Town of Picture Butte is such that the Council of the Town of Picture Butte deems it expedient that a bylaw be made restricting, mitigating and abating activities, which give, rise to unnecessary noise in the Town, especially during hours normally used for sleeping;

AND WHEREAS the intent of this bylaw is that all noise shall be reduced as far as possible compatible with the normal activities and that unnecessary noise be eliminated.

NOW THEREFORE THE COUNCIL OF PICTURE BUTTE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be cited as the "Noise Bylaw".
2. In this bylaw:
  1. "Chief Administrative Officer" shall mean the Town Chief Administrative Officer as appointed by Town Council and anyone acting or authorized to act on his/her behalf.
  2. "Holiday" means any statutory holiday as defined in the Interpretation Act of Alberta.
  3. "Industrial Zone" includes lands identified as Industrial – I in the Land Use Bylaw.
  4. "Land Use Bylaw" means Bylaw Number 841-15 as amended from time to time or any bylaw passed in substitution for or in addition to Bylaw Number 841-15.
  5. "Nighttime" means the period beginning at 10:00 p.m. and ending the following day at:
    - a) 7:00 a.m. if the following day is a weekday; or
    - b) 8:00 a.m. if the following day is a weekend.
  6. "Residential Building" includes buildings and lands in districts defined as Residential Districts in the Land Use Bylaw.
  7. "Residential District" means any area of Town that has been designated as a Residential District in the Town's Land Use Bylaw.
  8. "Signalling 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.
  9. "Special Constables" means a person who is appointed as a special constable under Section 42 of the Police Act of Alberta as defined in the Peace Officer Act of Alberta.
  10. "Ticket" means any ticket which is authorized by the Municipal Government Act, R.S.A. (2000), Chapter M-26 or under the Provincial Offences Procedures Act, R.S.A. (2000), Chapter P-34, issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
  11. "Town" means the Corporation of the Town of Picture Butte or the area contained within the boundaries of the Town as the context requires.
  12. "Weekday" means any day other than a Sunday or holiday.
  13. "Weekend" means Sunday and any other holiday.

169 20

3.

1. Except to the extent allowed under this bylaw, no person shall

make continue to make or cause or allow to be made or continued any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of other persons within the limits of the Town.

2. What constitutes a loud noise, an unnecessary noise, an unusual noise or a noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others is a question of fact to be determined by the Court which hears the prosecution of an offence against this bylaw.
3. Where an activity which is not specifically prohibited or restricted by any legislation of Canada or the Province of Alberta or by this bylaw involves making a sound, which:
  - a) Is or may be or may become; or
  - b) Creates or produces or may create or produce;

a disturbance or annoyance to other people or a danger to the comfort, repose, health, peace or safety of others, a person engaged in that activity shall do so in a manner creating as little as practicable under the circumstances.

4.

1. The failure of a person to comply within the Town with the following provisions of the Traffic Safety Act and Regulations:
  - a) The prohibition against the use of Signalling devices on motor vehicles, motorcycles, or bicycles so as to make more noise than is reasonably necessary for the purpose of giving notice or warning to other persons on the highway, as set out in subsection (2) of Section 63 of the Highway and Rules of the Road Regulation;
  - b) The restrictions on the type or use of mufflers and similar equipment on motor vehicles, as set out in Section 61 (1) of the Vehicle Equipment Regulation;
  - c) The prohibition against equipping a vehicle other than those specified with a siren, as set out in Section 74 of the Vehicle Equipment Regulation;

constitutes a violation of this bylaw in addition to and not in substitution for the offence under the Traffic Safety Act, S.A. 2003.

2. Where a person operates a vehicle of any type on a street in a Residential Zone at any time in such a way as to unduly disturb the residents of that street, he/she is guilty of an offence under this bylaw in addition to and not in substitution for any offence of which he/she may be guilty under Section 13(1)(g)(iii) of the Traffic Safety Act.
3. No person may activate or apply engine retarder brakes in the Town.
4. Where a vehicle is equipped with a siren under Section 74 of the Vehicle Equipment Regulations, the driver thereof shall only use the siren when the vehicle is proceeding in response to an emergency call.
5. Subsection 4.4 does not apply to the use of a siren on a vehicle operated by a member of the Royal Canadian Mounted Police, or a Special Constable.

5.

1. Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
  - a) Is a permitted use; or
  - b) Is an approved discretionary use; or
  - c) Is a non-conforming, but not illegal, use as defined in the Municipal Government Act.
2. In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.



6. No person shall operate an outdoor speaker system on a parcel where a property line of the Parcel is within 150 meters of a Residential Development during the period beginning at 10:00 p.m. and ending at 9:00 a.m. the following day.
7.
  1. A person must not operate:
    - a) A motorized garden tool;
    - b) A power tool outside any building or structure;
    - c) Any motorized apparatus driven by an internal combustion engine of any kind; or
    - d) A snow clearing device powered by an engine of any kind;in a Residential Development during the nighttime.
  2. Any person who owns, keeps, houses, harbours or allows to stay on their premise an animal which by reason of barking, or howling, disturbs persons in the vicinity of their home is guilty of an offence under this bylaw.
  3. A person who owns, occupies or controls a truck-tractor or tractor-trailer must not at any time allow it to remain running for longer than 20 minutes when it is stationary in a Residential District or within 150 meters of a Residential Development.
  4. A person must not use a signalling device to promote or advertise the sale of ice cream or any other foodstuffs in a Residential District during the nighttime.
8.
  1. Unless written permission from the Chief Administrative Officer is first obtained, no person shall carry on the construction of any type of structure which involves hammering, sawing or the use of any machines, tools or equipment capable of creating a noise which may be heard beyond the boundaries of the site on which activity is being carried on in any District other than one designated in the Land Use Bylaw as Urban Reserve during the Nighttime.
  2. Subsection 8.1. does not apply to the work of an exigent nature being carried on by a Town department, utility company or contractor acting on their behalf.
9. Notwithstanding any other provision of this bylaw, where an open area is provided for parking of patrons or employees in connection with a retail store, office, or medical and health facility, the owner or person in charge of the parking area, and making no more noise than is reasonably necessary in connection therewith may use a machine for clearing snow or debris from that open area during such hours as is necessary or expedient to keep that area clear of snow and debris.
10. Upon the issuance of a ticket for a breach of any of the Sections of the bylaw a specified penalty as identified in Appendix A and upon production of any such notice or ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified to the Town such payment shall be accepted in lieu of prosecution.
  - a) If the person upon whom any such notice or ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
  - b) Nothing in this Section shall:
    - (i) Prevent any persons from exercising his right to defend any charge or committing a breach of this bylaw.
    - (ii) Prevent any person from laying an information and complaint against any other persons for committing a breach of any of the provisions of this bylaw.
    - (iii) Prevent any Bylaw Enforcement Officer or Peace Officer from laying an Information and Complaint against any other person or owner for an alleged breach of this bylaw whether or not such other person or owner has made payment under this Bylaw.
  - c) Where any person has made a payment to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.

d) Notwithstanding 10. c):

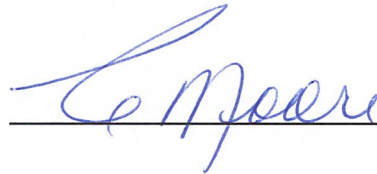
- (i) Where any person contravenes the same provision of this bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is outlined in Appendix A.
- (ii) Where any person contravenes the same provision of this bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is outlined in Appendix A.

- 11. A person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding Two Thousand Five Hundred (\$2,500) dollars or in default of payment of the fine to imprisonment for a period not exceeding six (6) months or until such fine is paid.
- 12. It is the intention of the Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.
- 13. Bylaw Number 705-93 and amendments thereto is hereby repealed.
- 14. This bylaw comes into full force and effect on the date of final passing.

MOVED by Councillor Feist that Bylaw No. 866-18 be read a first time this 26<sup>th</sup> day of March, 2018.

MOVED by Councillor de Kok that Bylaw No. 866-18 be read a second time this 9<sup>th</sup> day of April, 2018.

MOVED by Councillor Papworth that Bylaw No. 866.18 be read a third time this 23<sup>rd</sup> day of April, 2018.



Cathy Moore  
Mayor



Keith Davis  
Chief Administrative Officer

**APPENDIX A**  
**PENALTY AMOUNTS**

1. First Offence as per Section 10	\$200
2. Second Offence as per Section 10 d) (i)	\$400
3. Third Offence as per Section 10 d) (ii)	\$500

## TOWN OF PICTURE BUTTE

### BYLAW #867-18

A BYLAW, IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE ACCEPTANCE OF MONIES FOR PAYMENT OF TAXES BY INSTALMENTS AS PROVIDED BY THE *MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26*.

**WHEREAS** in accordance with the *Municipal Government Act R.S.A. 2000 Chapter M-26*, as amended, the Town allows such tax installments on accounts in such manner and subject to such conditions as may be set out in the Bylaw;

**WHEREAS** in accordance of the *Municipal Government Act* Council may pass a bylaw to permit taxes to be paid by installment, at the option of the taxpayer;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

#### SECTION 1 TITLE

- 1.1 This Bylaw may be referred to as the "Tax Installment Payment Plan Bylaw"

#### SECTION 2 AUTHORIZATION

- 2.1 The owner as registered on the tax roll shall be given the option to pay taxes by a pre-authorized transfer of funds from their bank account to the Town of Picture Butte in twelve monthly installments, in an amount calculated as per Section 3 of this Bylaw, providing all previous outstanding tax balances are paid in full.
- 2.2 To apply for the Tax Installment Payment Plan, the application form must be completed, signed and returned to the Town Office accompanied by the appropriate banking information, no later than January 10<sup>th</sup> of the year in which the taxpayer wishes to enroll in the Tax Installment Payment Plan.
- 2.3 Any application received after the enrolment deadline of January 10<sup>th</sup> shall take effect the following calendar year.
- 2.4 The Tax Installment Payment Plan agreement does not transfer from one property tax owner to a purchaser of the property in the event of a sale of a parcel of land.

#### SECTION 3 MONTHLY PAYMENTS

- 3.1 Monthly payments are calculated by dividing the annual tax levy from the preceding year by 12 for the payment amount for January to May. The monthly payments from June to December will be automatically adjusted once the current year's tax levy has been determined. The current and remaining tax balance owing is divided by 7 months to create a zero balance owing by December 31. The transfer of funds will occur on the last business day of every month.
- 3.2 The Town of Picture Butte will determine the monthly payment for each participant in the Tax Installment Payment Plan. The option of additional or lesser monthly payment amounts by the property owner will not be permitted.
- 3.3 The payment of property taxes on a monthly installment basis shall take place on the last business day of each month. Payments shall commence

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in January and continue to the last business day in December. Schedule "A", forming a part of this bylaw, authorizes automatic deductions from the taxpayer's account at a financial institution to the credit of the Town of Picture Butte. Monthly payments are equal to the monthly payment calculated pursuant to Section 3.1.

#### **SECTION 4            OUTSTANDING CHARGES**

- 4.1    A property owner will not be eligible for this program if there is any amount owing on the tax roll after the enrolment deadline stipulated in Section 2.3.

#### **SECTION 5            WITHDRAWAL**

- 5.1    Once a participant is enrolled in the Tax Installment Payment Plan, such participant is automatically renewed each year and does not require a new application to be made every year to continue ongoing monthly tax payments.
- 5.2    A participating taxpayer may, at any time, withdraw from the Tax Installment Payment Plan by giving no less than two (2) weeks' notice in writing. No monies paid into the plan will be returned, refunded or transferred to a Town of Picture Butte utility account. The monies will remain on the tax roll and be deemed as a prepayment of property taxes.
- 5.3    If a participating taxpayer withdraws from the Tax Installment Payment Plan, or the Town of Picture Butte cancels the Tax Installment Payment Plan agreement, all unpaid taxes are due and payable upon cancellation of such agreement and are subject to penalties in accordance with the Tax and Tax Penalty Bylaw.

#### **SECTION 6            CANCELLATION**

- 6.1    The Town of Picture will cancel participation in the Tax Installment Payment Plan if an installment payment fails to be honored. Penalties will be added to the tax roll per section 7.
- 6.2    If a participant pays the tax balance owing on the tax / assessment notice issued, he / she will automatically be removed from the Tax Installment Payment Plan.
- 6.3    Any transfer of outstanding amounts to the applicable tax roll, in accordance with Section 553 of the Municipal Government Act, will automatically disqualify participation in the Tax Installment Payment Plan and the property owner will be removed immediately from the Tax Installment Payment Plan.
- 6.4    Notice of removal from the Tax Installment Payment Plan pursuant to Sections 6.1, 6.2 or 6.3 of this Bylaw shall be sent to the taxpayer, by ordinary mail, to the taxpayer's last known mailing address as listed on the tax roll.
- 6.5    If participation in the Tax Installment Payment Plan is cancelled by the Town pursuant to Section 6.1, 6.2 or 6.3, the taxpayer shall not be eligible to participate in the Tax Installment Payment Plan until the taxation year following the cancellation, if the taxpayer chooses to reenroll in the program. Completion of a new application form by the taxpayer is required.
- 6.6    Upon sale of the property, the participant will be automatically removed from the Tax Installment Payment Plan.

#### **SECTION 7            FEES AND PENALTIES**

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- 7.1 The applicable bank return fee, as set out in Schedule "B" of this bylaw will be levied on payments which are not honored by the financial institution on which they are drawn. The charges shall be added on to the taxes owing for each affected tax roll.
- 7.2 If participation in the Tax Installment Payment Plan is cancelled or withdrawn between July 11<sup>th</sup> and December 1<sup>st</sup> (inclusive) of any year, a tax penalty will be applied to the tax roll, in accordance with the Tax and Tax Penalty Bylaw, 30 days after cancellation or withdrawal. Regular tax penalties and / or interest charges will also apply.
- 7.3 Cancellations or withdrawals that occur before July 11<sup>th</sup> or after December 1<sup>st</sup> of any year shall be subject to penalties and / or interest per the Tax and Tax Penalty Bylaw.

## **SECTION 7 INDEMNIFICATION**

- 7.1 The onus of providing correct banking information to the Town of Picture Butte lies with the taxpayer. If incorrect information results in a monthly payment(s) not being made or being dishonored by the financial institution, the Town of Picture Butte assumes no responsibility for such rejection of said payment.

## **SECTION 8 RESPONSIBILITY**

- 8.1 Tax Installment Payment Plan participants are responsible for verifying that the preauthorized payments are being made as per the application agreement signed by the participant. If they are not, the onus is on the taxpayer to notify the Town of Picture Butte to rectify the error.

## **SECTION 9 SCHEDULES**

- 9.1 Attached is Schedule "A" – Application Form for Tax Installment Payment Plan which is part of this Bylaw.
- 9.2 Attached is Schedule "B" – Fees and Penalties which is part of this bylaw

This Bylaw hereby rescinds Bylaw #829-12 and comes into effect May 1<sup>st</sup>, 2018.

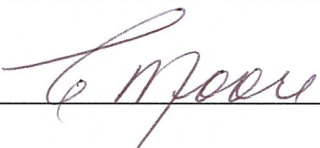
MOVED by Councillor Papworth to approve FIRST reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED

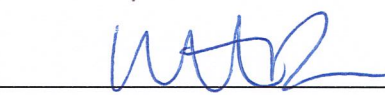
MOVED by Deputy Mayor Watson to approve SECOND reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED

MOVED by Councillor de Kok that permission be granted to move to THIRD AND FINAL reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.  
CARRIED UNANIMOUSLY

MOVED by Councillor Feist to approve THIRD AND FINAL reading of Bylaw #867-18 this 23<sup>rd</sup> day of April, 2018.

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO

**TOWN OF PICTURE BUTTE  
BYLAW # 867-18  
SCHEDULE "A"**

**TAX INSTALLMENT PAYMENT PLAN  
APPLICATION FORM**

<b>Tax Roll Number</b>		
<b>Civic Address</b>		
<b>Property Owner's Name(s)</b>		
<b>Mailing Address</b>		
<b>Town / City</b>		
<b>Postal Code</b>		
<b>Phone Numbers</b>		
<b>Beginning TIPP Amount</b>		

Initial

☐

I / We authorize the Town of Picture Butte to begin automated monthly withdrawal for payment of property taxes from the bank account identified on the attached voided cheque or direct deposit / pre-authorized debit form as issued by my bank.

☐

Payments will continue on the last business day of each month until this agreement is terminated.

☐

I / We have read, understand and agree to the Town of Picture Butte Tax Installment Payment Plan Bylaw. This Bylaw can viewed on the Town's website at [www.PictureButte.ca](http://www.PictureButte.ca)

☐

I / We understand that my / our monthly tax payment amount will change each June once the current year's tax levy has been determined. This new calculated amount will be reflected on the annual tax / assessment notice issued.

☐

I / We understand that my / our monthly tax payment amount will also change in January of each year and will be based on the previous year's levy.

☐

I / We understand that if any payment fails to be honored, I / we will be removed from the program and may be subject to fees and / or penalties.

☐

I / We understand that if my / our participation in TIPP is cancelled or withdrawn between July 11<sup>th</sup> and December 1<sup>st</sup> of any year, the tax penalties stipulated in the Tax and Tax Penalty Bylaw will be applied to my / our tax roll 30 days after withdrawal or cancellation.

<b>Property Owner's Signature</b>	
<b>Date</b>	
<b>Property Owner's Signature</b>	
<b>Date</b>	

The personal information requested on this form is being collected with the Freedom of Information and Privacy (FOIP) Act and is protected by the FOIP Act. If you have any questions regarding the collection of this information, please contact the Town Office.

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**TOWN OF PICTURE BUTTE  
BYLAW # 867-18  
SCHEDULE "B"**

**TAX INSTALLMENT PAYMENT PLAN  
FEES AND PENALTIES**

**Bank return / NSF fee:                \$45.00**

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 868-18**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to regulate and clarify the regulations pertaining to extensive agriculture, the keeping of livestock and manure spreading within town limits, as described in Schedule A.

AND WHEREAS the general purpose of the proposed amendments are to address the following:

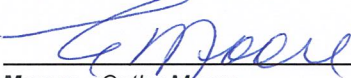
- Add to the Urban Reserve - UR land use district's statement of intent to make it clear agricultural uses may occur in the interim prior to land being developed for urban use, but those are limited to the cultivation of land, crop production and only temporary/seasonal grazing of livestock; and
- Amend and add to the Urban Reserve - UR land use district's Permitted Use column 'Temporary pasturing and grazing of livestock', and 'manure application', subject to criteria; and amend and add to Prohibited Uses column to make it more clear the keeping of confined livestock and exotic farm animals, including associated animal shelters, cattle, swine and poultry barns etc., or stockpiling of manure or compost piles, are prohibited; and
- Add criteria for Extensive Agriculture uses to the UR district as Section 8, to outline that development permits are not required for extensive agriculture uses or temporary/seasonal grazing of livestock but they are limited to non-noxious, best practice farming activities related to the cultivation of land, crop production and temporary seasonal livestock grazing, as described in attached Schedule A; and
- Add definitions to Part 6 for extensive agriculture, livestock, farm and exotic animals.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 868-18 to include the extensive agriculture amendments as described in the attached Schedule A.
2. Bylaw No. 868-18 shall come into effect upon third and final reading thereof.
3. Bylaw No. 868-18 is hereby adopted.

READ a **first** time this 23<sup>rd</sup> day of April, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 28<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally PASSED this 28<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 869-18

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

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 councillors;

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 councillors;

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, councillors 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 Town of Picture Butte;

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 councillors;

NOW THEREFORE the Council of the Town of Picture Butte in the Province of Alberta, duly assembled, enacts as follows:

**1. Short Title**

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

**2. Definitions**

2.1. 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 [insert applicable title: e.g. 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 councillor or the Mayor and includes members of council committees or other bodies established by Council who are not councillors or the Mayor;
- (g) "Municipality" means the municipal corporation of the Town of Picture Butte.

**3. Purpose and Application**

3.1. 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.

**4. Representing the Municipality**

4.1. 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.

## **5. Communicating on Behalf of the Municipality**

- 5.1. A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.3. 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.
- 5.4. No Member shall make a statement when they know that statement is false.
- 5.5. No Member shall make a statement with the intent to mislead Council or members of the public.

## **6. Respecting the Decision-Making Process**

- 6.1. 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.
- 6.2. 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.
- 6.3. 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.

## **7. Adherence to Policies, Procedures and Bylaws**

- 7.1. 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.
- 7.2. 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.
- 7.3. 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.

## **8. Respectful Interactions with Council Members, Staff, the Public and Others**



- 8.1. 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.
- 8.2. 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.
- 8.3. 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.
- 8.4. 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.
- 8.5. 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.
- 8.6. 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.

## **9. Confidential Information**

- 9.1. 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.
- 9.2. 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.
- 9.3. 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.

## **10. Conflicts of Interest**

- 10.1. 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.
- 10.2. 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.
- 10.3. Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4. 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.

## **11. Improper Use of Influence**

- 11.1. 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.
- 11.2. 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.
- 11.3. Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4. 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.

## **12. Use of Municipal Assets and Services**

- 12.1. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 12.2. 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.

## **13. Orientation and Other Training Attendance**

- 13.1. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.



- 13.2. 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.

#### **14. Remuneration and Expenses**

- 14.1. Members are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
- 14.2. 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.

#### **15. Gifts and Hospitality**

- 15.1. 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.
- 15.2. 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 \$500.
- 15.3. 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.

#### **16. Election Campaigns**

- 16.1. 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.

#### **17. Informal Complaint Process**

- 17.1. 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 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.
- 17.2. 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.

#### **18. Formal Complaint Process**

- 18.1. 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.

## **19. Compliance and Enforcement**

- 19.1. Members shall uphold the letter and the spirit and intent of this Bylaw.
- 19.2. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 19.3. 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.
- 19.4. 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 councillor and the sanction is not contrary to the Act.

## 20. Review

- 20.1. 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.


READ a First time this 28<sup>th</sup> day of May, 2018

READ a Second time this 28<sup>th</sup> day of May, 2018

READ a Third time this 28<sup>th</sup> day of May 2018.

SIGNED AND PASSED this 28<sup>th</sup> day of May 2018.

  
MAYOR

  
CHIEF ADMINISTRATIVE  
OFFICER



## TOWN OF PICTURE BUTTE

### BYLAW # 870-18

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2018 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 23, 2018; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2018 total **\$3,466,554.79**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,187,782.86**, and the balance of **\$1,278,771.93** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 307,426.17	
Non-Residential	<u>\$ 81,642.68</u>	
		\$ 389,068.85
Opted Out School Boards:		
Residential / Farmland	\$ 43,643.78	
Non-Residential	<u>\$ 30,591.90</u>	
		<u>\$ 74,235.68</u>
Total School Requisitions		\$ 463,304.53
Green Acres Foundation (Seniors Requisition)		\$ 23,523.49
Designated Industrial Property (DIP Requisition)		<u>\$ 71.73</u>
<b>Total Requisitions for 2018</b>		<b>\$ 486,899.75</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 127,411,820.00
Residential / Farm Land – Separate	\$ 18,088,030.00
Non-Residential / Linear – Public	\$ 21,800,186.00
Non-Residential / Linear – Separate	\$ 8,168,634.00
Machinery and Equipment – Public	\$ 1,903,780.00
Machinery and Equipment – Separate	<u>\$ 54,960.00</u>
<b>Total Assessment for 2018</b>	<b>\$ 177,427,410.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,006,557.56	\$145,499,850.00	6.91793
Non-Residential and M&E	\$ 272,214.37	\$ 31,927,560.00	8.52600
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 307,426.17	\$127,411,820.00	2.41285
Non-Residential	\$ 81,642.68	\$ 21,800,186.00	3.74505
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 43,643.78	\$ 18,088,030.00	2.41285
Non-Residential	\$ 30,591.90	\$ 8,168,634.00	3.74505
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 23,523.49	\$177,427,410.00	0.13259
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 71.73	\$ 2,098,590.00	0.03418
<b>GRAND TOTAL</b>	<b>\$ 1,765,671.68</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 28<sup>th</sup> day of May, 2018

Read a second time in Council assembled this 28<sup>th</sup> day of May, 2018

Council unanimously resolved to proceed to third reading this 28<sup>th</sup> day of May, 2018

Read a third time in Council assembled this 28<sup>th</sup> day of May, 2018

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 871-18**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to update and enhance administrative procedures and standards of Land Use Bylaw No. 841-15 to be in compliance with the modernized Municipal Government Act (MGA), and also add regulations to manage cannabis production and retail sales in consideration of federal and provincial laws coming into effect to legalise cannabis use.

AND WHEREAS the general purpose of the proposed amendments described in Schedule 'A' are to:

- Add rules and criteria pertaining to the receiving, processing, and notification of development and subdivision applications in order to be in compliance with the MGA.
- Amend and add to 'Part 2, Land Use Districts Regulations, 'Industrial – I' – land use district discretionary use column: Cannabis Production Facility.
- Add to 'Part 4, Specific Use Standards' a new section for providing Criteria and Standards for Cannabis Production Facilities.
- Add to Part 4, Specific Use Standards' a new section on standards for Retail Cannabis Store uses which may only be considered on a parcel of land designated to Direct Control by Town Council, and also add the application requirements to redesignate to the Direct Control land use district.
- Add minimum requirements and standards applicable to Retail Cannabis Stores that will be considered by Town Council in making a decision on a development permit application for such uses.
- Add definitions to Part 6 for Cannabis, Medical Cannabis, Cannabis Production Facilities and Retail Cannabis Stores; with all proposed amendments as described in attached Schedule 'A'.

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 871-18 to include the amendments as described in the attached Schedule A.
2. Bylaw No. 871-18 shall come into effect upon third and final reading thereof.
3. Bylaw No. 871-18 is hereby adopted.

READ a first time this 25<sup>th</sup> day of June, 2018

READ a second time this 23<sup>rd</sup> day of July, 2018.

READ a third time 23<sup>rd</sup> day of July, 2018.

SIGNED AND PASSED this 23<sup>rd</sup> day of July, 2018.

  
\_\_\_\_\_  
MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

## Schedule 'A'

### Bylaw No. 871-18 Amendments to Land Use Bylaw No. 841-15

#### Amending Bylaw - Section A

The described amendments are to bring the municipal Land Use Bylaw No. 841-15 into compliance with the modernized *Municipal Government Act* and amended *Subdivision and Development Regulations*.

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#### **Additions and amendments to Part 1, Administration section of Land Use Bylaw.**

(Note: underlined text is new addition to an existing bylaw section, while italicized and underlined text is entirely new bylaw addition.)

#### **DEVELOPMENT**

##### **14. DEVELOPMENT OFFICER – POWERS AND DUTIES**

The Development Officer is responsible for:

- (a) receiving, processing, deciding upon and referring applications for a development permit in accordance with this bylaw and determining whether a development permit application is complete in accordance with section 25 of Part 1.

##### **27. INCOMPLETE APPLICATIONS**

*Section 27 is amended by numbering the existing first paragraph as (1) and adding immediately after the following text to read:*

- (2) A Development Officer shall, within 20 days after the receipt of an application in accordance with Section 25 for a development permit, determine whether the application is complete.
- (3) An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
- (4) The time period referred to in subsection (2) may be extended by an agreement in writing between the applicant and the Development Officer.
- (5) If the Development Officer does not make a determination referred to in subsection (2) above within the time required under subsection (2) or (4), the application is deemed to be complete.
- (6) If a Development Officer determines that the application is complete, the development officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (7) If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 25. A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete.
- (8) If the Development Officer determines that the information and documents submitted under subsection (7) above are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- (9) If the required documents and information under subsection (7) have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection (7), the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- (10) Despite issuance of a Notice of Completeness under subsection (6) or (8), the Development Authority or Municipal Planning Commission in the course of reviewing the application may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

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### 35. DEVELOPMENT PERMIT NOTIFICATION

- (1) A decision of the Development Authority on an application for a development permit must be issued in writing in accordance with subsection (3) below.
- (2) Upon the approval of the application and the issue of a development permit, the Development Authority shall immediately notify or cause to be notified, any persons likely to be affected or who have the right to appeal the decision of the Development Authority in accordance with the procedure in Section 46. The following notification processes shall be used:

#### PERMITTED USE PERMITS

- (3) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Development Authority shall:
  - (a) send to the applicant a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision; and
  - (b) notify the public by either:
    - (i) posting a copy of the decision in a prominent place in the Town Office for at least 14 days, or
    - (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
    - (iii) any combination of the above.

#### ALL OTHER PERMITS

- (4) Upon the issue or refusal of a development permit for a use under Sections 28, 29 (discretionary use), 30 (if a waiver is required), 31 (similar use) and 32 (temporary uses), the Development Officer shall immediately:
  - (a) send a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision to the applicant; and
  - (b) notify all persons likely to be affected by the development by either:
    - (i) mailing a copy of the decision to those persons, departments and agencies, or
    - (ii) place an advertisement in the local newspaper circulating within the municipality, and/or at his discretion;
    - (iii) place a notice on the property in a prominent place; or
    - (iv) any combination of the above.

#### ISSUANCE OF DECISION AND TIMEFRAMES

- (5) Upon issuance of a decision, the Development Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the decision is made.

For the purposes of subsection (5), the "date on which the decision was made" means:

  - (a) the date the Development Authority signs the notice of decision or development permit, or
  - (b) the date the decision is posted in the newspaper,

whichever occurs later.

### 36. COMMENCEMENT OF DEVELOPMENT

- (1) Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 44 21 days after the date on which the decision was made to issue of the permit;
  - (b) if an appeal is made, until the appeal is decided upon.

This does not apply to a development permit for a permitted use issued without conditions.

### 40. REAPPLICATION

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(1) If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for a development:

- (a) on the same lot, and
- (b) for the same or similar use,

may not be accepted for at least six months after the date of refusal.

(2) If an application was refused solely because it did not comply with this bylaw, or was refused as an incomplete application under section 27, another application on the same lot for the same or similar use may be accepted before the time period referred to in Section 40(1) provided the application has been modified to comply with this bylaw. All applicable fees shall apply.

#### **46. DEVELOPMENT APPEALS**

Any person applying for a development permit or any other person affected by any order, decision or development permit made or issued by the Development Authority or Municipal Planning Commission or any development application deemed refused in accordance with section x, may appeal such an order, decision or deemed refusal to the Subdivision and Development Appeal Board in accordance with the procedures described the MGA.

### **SUBDIVISION**

*The following text is added after existing Section 16(2):*

#### **16. SUBDIVISION AUTHORITY**

(3) The Subdivision Authority may delegate, though municipality's Subdivision Authority Bylaw, this bylaw, or by resolution of Council, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

- (a) The delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application.
- (b) The Subdivision Authority delegate is authorized to carrying out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated, carrying out site inspections.

*The following is a new section added to Part 1 of the bylaw:*

### **SUBDIVISION APPLICATION RULES AND PROCEDURES**

#### **53. SUBDIVISION APPLICATIONS**

(1) An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or it's designate. A completed application shall consist of:

- (a) An official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;
- (b) The applicable fees paid;
- (c) An up-to-date and current copy of the Certificate of Title to the subject land;
- (d) A (clear and eligible) diagram, Surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;
- (e) Provincial abandoned gas well information;
- (f) Any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information,

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contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use.

(g) The consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the Municipal Government Act (MGA) must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.

(2) In accordance with the Municipal Government Act (MGA), the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:

(a) For an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter.

(b) For an application determined to be incomplete, written notification shall be given to the applicant (Notice of Incompleteness) which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority.

(c) In respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.

(3) Notwithstanding subsection 2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the MGA to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

(4) A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

#### **54. INCOMPLETE SUBDIVISION APPLICATIONS**

(1) The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 53(1) and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

(2) If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in section 53(2)(b).

(3) The notification provided for in subsection (2) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the MGA.

#### **Amending Bylaw - Section B**

The described amendments are to add into the municipal Land Use Bylaw No. 841-15 criteria and standards to regulate both **Cannabis Production Facilities** and **Retail Cannabis Stores** in consideration of federal and provincial laws and regulations.

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**Additions and amendments to Part 2, Land Use Districts, Part 4, Standards of Development, and Part 6, Definitions sections of the Land Use Bylaw.** (Note: all text are new additions to the bylaw, except for the definitions where new text is either underlined or otherwise noted.)

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**Add to 'Part 2, Land Use Districts Regulations, 'Industrial – I' – land use district discretionary use column:**

Cannabis Production Facility

**Add to 'Part 4, Specific Use Standards' – Section B. Specific Use Provisions, add new section on Criteria and Standards:**

#### **44. CANNABIS PRODUCTION FACILITY**

The requirements of this section apply to cannabis production facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada's and the federal *Cannabis Act* and *Access to Cannabis for Medical Purposes Regulations (ACMPR)*, and any other federal and provincial government regulation.

- (1) The owner or applicant must provide as a condition of development permit approval a copy of the current authorized licence by Health Canada for all activities associated for a Cannabis Production Facility/plant (either a medical, recreational or combination thereof), as issued by the federal government.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (4) The development shall not operate in conjunction with another approved use.
- (5) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (6) The development must include equipment designed and intended to remove odours and particulates from the air where it is discharged from the building as part of a ventilation system.
- (7) A Cannabis Production Facility shall not be located on a parcel of land that is adjacent to or within 350 metres of a parcel used for a school, daycare or similar use associated with the caring or congregation of children or minors.
- (8) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes detail on:
  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material.

#### **45. RETAIL CANNABIS STORE**

##### **Use Eligibility**

- (1) Retail Cannabis Store uses may only be permitted on a parcels of land designated as Direct Control for that specific land use. The proponents of an application for a proposed Retail Cannabis Store must apply to Town Council for a redesignation to the Direct Control Land Use District.
- (2) The Direct Control bylaw for a proposed Retail Cannabis Store shall reflect that Council has the sole authority to make decisions on development permits for Retail Cannabis Stores.
- (3) Council for the Town of Picture Butte will consider, amongst other matters, the following criteria in making a determination of the suitability of a site or building for a Retail Cannabis Store. Council, at their discretion acting in the role of Development Authority, shall apply any standards or conditions they determine necessary which shall be applied to the issuance of any development permit for the said use.

##### **Direct Control Redesignation requirements:**

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- (1) The applicant must submit details of the proposed store location and a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites (as outlined in sub-section 3 below) within 200 m (drawn on a high quality and clearly legible site plan with text descriptions).
- (2) The Town of Picture Butte Council may require neighbourhood consultation to be conducted by the applicant. If a public consultation process is requested, the applicant must then provide to Council a description of when and what type of consultation was carried-out by the proponent and a general summary of the public input provided on the proposal (and a complete description of any objections or concerns raised).
- (3) Council may take into account, amongst other matters, the following factors when making a decision respecting an application to redesignate premises for a Retail Cannabis Store:
  - a. the extent and nature of opposition from community members or groups to establishment of a Retail Cannabis Store in a particular location; and
  - b. the suitability of the site in relation to adjacent land uses or other uses in proximity (200 m or less) to the proposed Retail Cannabis Store site.
- (4) The applicant must demonstrate to Council's satisfaction how the site and proposal conforms to the criteria as stipulated.
- (5) Council may consider that a site for a Retail Cannabis Store shall not be approved for redesignation or issued a development permit if the premises is located within a 200 metre separation distance of:
  - a. the boundary of a parcel of land on which a provincial health care facility is located, or
  - b. the boundary of a parcel of land containing a school (public or private) facility, or
  - c. the boundary of a parcel of land containing an approved child or daycare facility, or
  - d. the boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the *Municipal Government Act*, or
  - e. the boundary of a parcel of land containing a municipal park or playground facility, if the land is not designated as a school reserve or municipal and school reserve under the *Municipal Government Act*, or
  - f. the boundary of the parcel of land of which contains a church, community centre, library or recreation facility where persons under 18 years of age may attend or congregate.
- (6) Additionally, a Retail Cannabis Store shall not be approved for a development permit if the premises is located within the distance of (as measured wall to wall of the buildings):
  - a. 100 metres of a building containing a separate Retail Cannabis Store that has been approved (in the absence of any provincial set of rules regarding how closely the standalone stores will be allowed to operate to one another, otherwise the provincial rules apply), and
  - b. 50 metres of a building containing a licensed liquor store.
- (7) The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility, church, recreation facility, etc.) applying for development permit locating in proximity of established Retail Cannabis Stores.

#### **Development Permit Application requirements:**

In addition to the development application requirements as stipulated in Section 25 of the 'Administration' schedule of the Land Use Bylaw, the following additional requirements for an application for a development permit for a Retail Cannabis Store must also be provided when requested by the Development Authority to present to Council to make a decision:

- (1) If a redesignation to the Direct Control Land Use District is granted, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application for a municipal development permit for a Retail Cannabis Store.
- (2) All Retail Cannabis Stores approved for a development permit must obtain a Retail Cannabis Store license from the AGLC and failure to secure an AGCL license will make the local development permit approval null and void. Proof of provincial license (for a Retail

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Cannabis Store) shall be required as a condition of a development permit approval.

**Development Criteria and Standards:**

- (3) In issuing a development permit for a Retail Cannabis Store, consideration will be given by Council to the following criteria and applicable conditions:
- (a) A Retail Cannabis Store must be a separate use from any other business activities (i.e. non-Cannabis store) unless it is an activity or use expressly authorized by the AGLC.
  - (b) Maximum hours of operation, applicable to all approved Retail Cannabis Store operations, shall be limited between 11:00 a.m. and 10:00 p.m. which will be placed as a condition on a development permit approval, unless Council decides otherwise.
  - (c) All signage, including the contents, must comply with the land use bylaw Part 5, Sign Regulations, and municipal development permit approval is required. The applicant/developer is also responsible to ensure any signage and its message contents comply with all federal and provincial requirements, including AGLC policies.
  - (d) All parking requirements shall be provided in accordance with Part 4, Standards of Development, section 20 of the bylaw, and shall be deemed to be similar to other 'retail and service commercial' uses for determining the number and size of the required parking spaces.
  - (e) If an approved Retail Cannabis Stores' existing AGLC license expires, the business must provide verification to the municipality that a new license has been obtained within 12-months of the expiry date, otherwise, the use will be deemed to have been discontinued and any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.
  - (f) Council, acting as the Development Authority may, as a condition of approval on a development permit, specify a time limit on the development permit in regards to its validity, which may be considered a temporary use. At the time of expiry, the applicant/developer must reapply to the municipality for a development permit approval to continue the use.
  - (g) A developer/operator of a Retail Cannabis Store is responsible for meeting and adhering to all provincial requirements for the physical security for the premises.
  - (h) The design and construction of a Retail Cannabis Store must meet all provincial building code requirements.

**Amend and add to Part 6 'Definitions' section of bylaw:**

**Add new Definitions** to Part 6:

**Cannabis** means a plant Cannabis sativa, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, and any substance or mixture of substances that contains or has on it any part of such a plant; and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant.

**Medical Cannabis** means a substance used for medical and pharmaceutical purposes authorized by a license issued under the federal government and in accordance with the Government of Canada's Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

**Retail Cannabis Store** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**Cannabis Production Facility** means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested,

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destroyed, stored or loaded for shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time.

Amend the following existing **Definitions** in Part 6:

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. This use does not include Retail Cannabis Store which is a separate use.

**Convenience store** means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which typically do not exceed 400 m<sup>2</sup> (4,305 sq. ft.) in gross floor area. This use does not include Retail Cannabis Store which is a separate use.

**Greenhouse** means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale. This use does not include Cannabis Production Facility which is a separate use.

**Bylaw No. 872-18 - Amendments**

Bylaw No.	Amendment Description	Passed
879-19	To change Schedule A: Water Rates: Bulk water truck fill and Waste Management Rates: Garbage Collection	28 Jan 2019
897-20	To change Schedule A: Water Rates: Bulk water truck fill, meter and meter horn costs and Waste Management Rates: Garbage Collection	25 May 2020
915-21	To delete Schedule A and references to it. To change references to Schedule A to “Service Fees, Rates and Charges Bylaw”.	26 April 2021
950-24	Reconstituting Schedule A: Specified Penalties and adding Schedule D Water Rationing Action Plan	27 May 2024



TOWN OF PICTURE BUTTE  
BYLAW NO. 872-18

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, RESPECTING WATER WORKS, SEWERAGE AND WASTE MANAGEMENT AND PROVIDING FOR THE SETTING AND COLLECTION OF UTILITY RATES AND CHARGES.

WHEREAS Section 7 of the Municipal Government Act R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people; the protection of people and property; services provided for by or on behalf of the municipality; public utilities; and the enforcement of bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, HEREBY ENACTS AS FOLLOWS:

This Bylaw is hereby cited as the Town of Picture Butte “UTILITY BYLAW”.

1. DEFINITIONS:

- 1.1. “Ashes” means the residue of any substance used as fuel;
- 1.2. “Biochemical Oxygen Demand” (abbreviated BOD) means the quantity of oxygen expressed in milligrams per liter.
- 1.3. “Chief Administrative Officer or CAO” means the Town’s Chief Administrative Officer for the Town of Picture Butte as appointed by Town Council and includes any Persons authorized by him/her or the Town Council to act for or carry out the duties of the CAO Town Manager to the extent that authorization is given.
- 1.4. “Chemical Oxygen Demand (abbreviated COD) means the quantity of oxygen expressed in milligrams per litre utilized in the chemical oxidation of matter contained in Sewage as set forth in “Standard Methods for the Examination of Water and Wastewater”.
- 1.5. “Commercial Customer” means a Customer that has a Commercial Premises.
- 1.6. “Commercial Premises” means the site, including any building erected thereon of any café, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential or Institutional purposes;
- 1.7. “Council” means the Council for the Town of Picture Butte;
- 1.8. “Curb Stop” means a control valve for the water supply of a building, usually placed near the sidewalk or curb, used to shut off the water supply to a building;
- 1.9. “Customer” means any Person, corporation or organization who has entered into a contract with the Town for Utility Provision at a particular Premises, or who is the Owner or occupant of any Premises connected to or provided with a Utility.
- 1.10. “Director” means the Director of Operations and/or the Director of Corporate Services of the Town of Picture Butte or his/her duly authorized agent or representative.
- 1.11. “Discharge Limit (s)” means the maximum concentration of specified Sewage components permitted for discharge to the Sewer System by Commercial, Industrial and Institutional Customers without payment of Surcharges. The discharge limits are outlined in Schedule B:
- 1.12. “Domestic Customer” means the Owner of a residence containing one or two dwelling units that are connected to any Utility and where the total water consumption is measured by one water meter.
- 1.13. “Garbage” means and includes the refuse of animal matter, vegetable matter or any other matter which has been used or is intended for use as food, Ashes, bottles, metals, cans or tins, crockery, glass, metal scraps, cloth, paper, wrappings, sweepings and all other similar items that

- accumulate in the household or result from commercial or industrial operations. It does not include human or animal excrement, stable refuse and toxic or hazardous materials;
- 1.14. “Garbage Bin” means a container provided by the Town for purposes of Garbage collection;
- 1.15. “Garbage Collector” means the Person or Persons authorized by the Town of Picture Butte to collect, remove and dispose of Garbage;
- 1.16. “Grass Container” means a receptacle constructed of non-corrosive durable metal or plastic, or recyclable paper bag, which:
- 1.16.1. Is equipped with two (2) handles to facilitate handling (except for recyclable paper bags),
  - 1.16.2. Has a capacity of not more than 76 liters (20 gallons), a height of not more than 0.8 meters (30 inches) and a diameter of not more than 0.6 meters (24 inches), and
  - 1.16.3. weighs, when filled, not more than 23 kilograms (50 pounds);
- 1.17. “Grease” means a material contained in the Sewage which may be extracted according to the laboratory procedure set forth in “Standard Methods for the Examination of Water and Wastewater”, expressed in milligrams per litre.
- 1.18. “Health Inspector” means a health inspector for Alberta Health Services or a health inspector appointed by the Town;
- 1.19. “Industrial Customer” means any Person who is identified in the “Service Fees, Rates and Charges Bylaw” or who, for a period of ninety (90) days exceeds the Discharge Limits as explained in this bylaw
- 1.20. “Institutional Customer” means such places as senior citizen housing, nursing homes, hospitals, and schools. Places such as day care centres, places of worship, museums, libraries, service and fraternal organisation’s buildings and governmental buildings are excluded from this definition.
- 1.21. “Mobile Home” means a dwelling suitable for long-term or permanent occupancy, and designed to be transported on its own wheels or by other means; and which, upon arriving at a residential site is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy;
- 1.22. “Mobile Home Park” means a parcel of land maintained and operated by an Owner or a manager providing spaces for the long term parking and occupancy of Mobile Homes and spaces for ancillary facilities including recreation area;
- 1.23. “Multi-Unit Dwelling” means a dwelling place comprised of more than one self contained dwelling unit, and without restricting the generality of the foregoing, includes apartment buildings, duplex houses, and single family homes with ancillary suites containing cooking, living, dining, sleeping and toilet facilities, whether or not such ancillary suites have a private out-side entrance;
- 1.24. “Owner” means the registered owner of the serviced property as registered with the Alberta Land Titles Registry, or, as the context may require, the owner of a Mobile Home unit;
- 1.25. “Peace Officer” means a member of the Royal Canadian Mounted Police or a special constable or Bylaw Enforcement Officer of the Town of Picture Butte;
- 1.26. “Person” means any individual, firm, company, association, society, corporation or group.
- 1.27. “Premises” means any land, building or part of a building supplied with Utilities by the Town.
- 1.28. “pH” means the logarithm to the base 10, of the reciprocal of the hydrogen ion concentration in moles per litre in solution. pH shall be determined by one of the procedures outlined in Standard Methods for the Examination of Water and Wastewater.
- 1.29. “Sewage” means any waste discharged or permitted to flow from residences, business buildings, institutions and industrial establishments into the Sewer System.
- 1.30. “Sewer Service Line” means that Sewer line from the building to the Street Main;

- 1.31. "Sewer System" means the system of sanitary Sewers in the Town, the sanitary Sewage lift stations, and the Sewage treatment plant or plants.
- 1.32. "Standard Methods for the Examination of Water and Wastewater" shall mean those methods as described in the latest edition of "Standard Methods for the Examination of Water and Wastewater", as published by the American Public Health Association, Inc.
- 1.33. "Street Main" means any water and/or Sewer main trunk line laid for the service of more than one Person;
- 1.34. "Surcharge" means the extra charge levied on Commercial, Industrial, and Institutional Customers for discharging sewage of a strength higher than permitted.
- 1.35. "Total Suspended Solids" (abbreviated TSS) means solid matter that can be removed by filtration through a standard filter as set forth in "Standard Methods for the Examination of Water and Wastewater".
- 1.36. "Town" means the corporation of the Town of Picture Butte as established under the Municipal Government Act or, if the context requires, the geographical area within the boundaries of the Town of Picture Butte;
- 1.37. "Utility" means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
  - 1.37.1. Water
  - 1.37.2. sewage disposal treatment
  - 1.37.3. waste management
  - 1.37.4. storm water management;
- 1.38. "Water Service Line" means that water line from the building to the Curb Stop;
- 1.39. "Yard Waste" means the cuttings from any one of the various narrow-leaved green plants growing densely in a lawn, leaves and clippings from shrubs or trees
- 1.40. "mg/L" means milligrams per litre.
- 1.41. "\$/kg" means dollars per kilogram.

## 2. GENERAL UTILITY PROVISIONS

- 2.1. Supply of Utilities
  - 2.1.1. No Person other than the Town shall provide the same or similar type of Utility as is outlined in this Bylaw in any part of the Town except where special permission is given by the Town.
  - 2.1.2. The Town shall supply Utility Service to the Owner of a property regardless of the fact that it may be rented or leased.
  - 2.1.3. The Owner of the property shall be responsible for the construction, maintenance and repair of the Water Service Line. The Owner of the property shall be responsible for the maintenance of the Sewer Service Line and for the construction and/or replacement of any section of the Sewer Service Line from the building to the property line.
  - 2.1.4. All developed properties within Town must use Town supplied Utilities. Utility Services are provided together as a service. Customers are not eligible to opt out of individual Utility services.
- 2.2. Application for Service Connection
  - 2.2.1. All Customers shall comply with the Customer Account Terms and Conditions as set out in Schedule "C".
  - 2.2.2. Utility service shall be supplied to the Owner. No Utility service will be supplied to any renter, lessee or other Persons not considered the Owner of the property.

- 2.2.3. Any Owner who desires commencement of a Utility service from the Town shall apply in writing to the Town on the form supplied by the Town for that purpose.
  - 2.2.4. An Owner may request that their water service be physically shut off at the Curb Stop. The property Owner should submit to the Town office a completed Utility Application form with payment as set out in the Service Fees, Rates and Charges Bylaw.
  - 2.2.5. All Owners must notify the Town office of any change to their contact information including mailing address or phone number within 14 days of the change.
- 2.3. Rates and Billings
- 2.3.1. Rates for all Utility services will be established by Council as outlined in the Service Fees, Rates and Charges Bylaw.
  - 2.3.2. A Utility bill showing the current service charges for water, sewer and Garbage as stated in the Service Fees, Rates and Charges Bylaw, sent to the Owner of the property each month. Payment for the amount due for the Utility bill shall be payable on the billing date. Payment will be accepted at the Town Office or at such other place as may be designated from time to time by Council. Failure to receive a billing shall in no way affect the liability of the Customer to pay the Account.
  - 2.3.3. In the event that any part of such Utility bill remains unpaid after the last day of the month in which the billing is sent, there shall be added thereto a penalty in the amount specified in the Service Fees, Rates and Charges Bylaw on the unpaid balance. This penalty is part of the arrears and subject to collection in the same manner as all other rates and charges.
  - 2.3.4. Any Person intending to vacate any Premises that have been supplied with water from the waterworks or who desires to discontinue the use shall give written notice of the same to the Town. Otherwise, the rates shall be charged until such notice is received by the Town. No rebate shall be made for any fractional part of a month in which any such notice is given.
  - 2.3.5. An Owner may request an administrative disconnect if a property is being sold, or will be vacant for a period greater than two (2) months. The property Owner should submit to the Town Office a completed Utility Application form with payment as set out in the Service Fees, Rates and Charges Bylaw. An administrative disconnect includes performing a final reading of the water meter, issuing a final Utility bill and closing off of the account; it does not include a physical Curb Stop shut off.
  - 2.3.6. If, in the course of regular readings of water meters, a property is found to be using water after an administrative disconnect is complete, the Town shall issue a Utility bill for that month and said billing shall be subject to the same terms as a regular Utility bill.
- 2.4. Failure to Comply
- 2.4.1. Where a Customer is alleged to have breached any of the provisions of this Bylaw, the Town may serve upon such Customer a written notice specifying the breach and requiring that the breach be rectified within fourteen (14) days.

- 2.4.2. Should the problem not be rectified within the time limit specified, a penalty, the amount of which is set out in Schedule A, shall be added to the next and any subsequent Utility billing until the problem is rectified.
- 2.4.3. This penalty shall be considered as part of the Utility charge and subject to the collection procedure as specified in Section 2.3 of this Bylaw.
- 2.4.4. The Owner of any Mobile Home Park or Multi-Unit Dwelling shall be held responsible for ensuring that his/her renters comply with the provisions of this Bylaw and will be issued with the notice set out in Section 2.4.1. Failure to correct the problem will result in the penalty being added to the Utility billing sent to the Owner. All action will be subject to Section 2.4 except that each infraction from a different Person within the Mobile Home Park or Multi-Unit Dwelling will be counted as a separate incident.
- 2.4.5. Any written notice issued under the provisions of Section 2.4.1. of this Bylaw shall be deemed to be sufficiently served if served personally upon the Owner or if mailed by regular mail to the address of the Owner.
- 2.5. Violations
  - 2.5.1. Any Person who contravenes any provision of this Bylaw or any order made thereunder is guilty of an offence and is liable upon summary conviction to a fine as outlined in Schedule A and in default of payment of the fine to imprisonment for a period not exceeding SIX (6) MONTHS.
  - 2.5.2. Where a Peace Officer believes that any Person has committed a breach of any provision of this Bylaw, they may cause a Violation Ticket to be served upon such Person pursuant to Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.
  - 2.5.3. The Town also retains the right to discontinue Utility service to anyone who continues to violate the regulations of this Bylaw.
- 2.6. Utility Charges Added to Taxes
  - 2.6.1. Any Utility charges in arrears for services supplied by the Town or any other charges for Utility services supplied by the Town to any land or Premises may be added to the taxes assessed against the real property to which the Utility has been supplied, and may be collected in any of the ways provided for in the collection of taxes, including the sale of the said property.
  - 2.6.2. In addition to the methods outlined herein for the recovery of outstanding charges, the Town reserves the right to discontinue service to any property where any charge for service or work remains outstanding for a period of more than thirty (30) days.
- 2.7. Dispute
  - 2.7.1. In case of any dispute as to the proper charges to which any Person is subject by reason of the provisions herein contained, the matter shall first be referred to the CAO, and where the dispute is not settled to the satisfaction of the complainant, such complainant may refer the matter to Town Council. Final appeal may then be made in the manner provided in The Public Utilities Board Act of the Province of Alberta.

### 3. POTABLE WATER

#### 3.1. General Provisions

- 3.1.1. The Owner of the property shall be responsible for all water registered by the water meter as having been drawn from the water system.
- 3.1.2. No Person being a Customer shall vend, sell or dispose of water, or give away, or permit the same to be taken or carried away, or use, or supply it to the use or benefit of others or to any other use and benefit, or shall wrongfully or negligently waste any water.
- 3.1.3. No Person shall operate, interfere with, damage or make inaccessible any Curb Stop due to the construction of walks, driveways, or any other means.
- 3.1.4. The Town reserves the right to enter any land or building for the purpose of constructing, maintaining or repairing any water meter or Water Service Line or Sewer Service Line after giving reasonable notice. Costs associated with these construction, maintenance or repair services are an amount owing to the Town by the Owner of the land.

#### 3.2. Connection to the Water System

- 3.2.1. No Person without first having obtained permission to do so, shall make connection with any of the service lines or Street Mains. Permission to make connection to a Street Main shall only be granted as part of a development agreement. The applicant for the said permission shall be totally liable for any damage caused while making such connections and also shall provide adequate safety provisions during said construction.
  1. No permission shall be granted to any Person except licensed plumbers or authorized employees of the Town or contractor authorized by the Town.
  2. The Owner of the property shall be responsible for all costs related to service connections to the Street Mains.
- 3.2.2. If repairs or construction changes are required due to inaccessibility or damage of a Curb Stop, the Owners of the property serviced by said Curb Stop shall, in addition to the penalties of this Bylaw, be required to assume all costs involved.

#### 3.3. Supply of Water

- 3.3.1. The Town may shut off the water supplied to the land or Premises of any Customer for any purpose that, in the opinion of the Town, it may be appropriate to do so.
- 3.3.2. It is hereby declared that no Person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from the failure of the water supply from any cause what so ever.
- 3.3.3. The Town reserves the right to refuse service to any user in the event of misuse of the truck fill facility. Misuse may include, but is not limited to, use of unsafe water tanks such as those used for pesticide or fertilizer, abuse of Town equipment or property in any way and attempted fraudulent usage. The Town has a zero tolerance approach to these types of behaviors and

any such activity will result in usage privileges being revoked.

3.4. Water Meters

- 3.4.1. Each individual dwelling unit shall have a separate water meter, except such dwelling units within a Multi-Unit Dwelling within one parcel of land where all dwelling units have the same Owner, or a Mobile Home Park.
- 3.4.2. Should a meter, while on the Premises of the Customer, be destroyed or damaged, the cost of repairing or replacing the meter shall be paid for by the Owner of the land.
- 3.4.3. Costs for the installing the meter shall be paid by the Owner of the land at the time of installation. Rates charged by the Town for the installation of water meters shall be the fee as set in the Service Fees, Rates and Charges Bylaw.
- 3.4.4. Reading of the water meters shall be made by the Town on such days and at such times as the Town may require. The meter reader shall have the right to enter any Premises that may be required for the purpose of performing his/her meter reading duties.
- 3.4.5. Regular readings of the water meters shall be performed by Town staff starting no earlier than the 5 business days prior to month end.

3.5. Water Restrictions

- 3.5.1. When water restrictions are required, as outlined in Schedule D: Water Rationing Action Plan, the Town may restrict the use of water from the Town supply system. When these restrictions are in effect, all users shall adhere to the restrictions outlined in Schedule D: Water Rationing Action Plan. Notification of such emergency shall be provided by any means available.
- 3.5.2. Failure to comply with Section 3.5.1. will result in a penalty as defined in Schedule A.
- 3.5.3. The Town, in specifying restrictions on the use of water for the purpose set out in Section 3.5. may vary the hours and days of use for differing portions of the Town and may attach such other conditions as deemed necessary.

3.6. Water Wastage

- 3.6.1. No Person shall waste any water supplied by the Town in any way, whether by improper or leaky service pipes, fixtures or taps, or by permitting water to run to prevent taps or pipes from freezing, or by improper or excessive use of water.
- 3.6.2. No Owner or Occupant of a parcel shall allow Potable Water to run off the parcel such that there is:
  - 1. a stream of water running into a street or swale for a distance of 30 meters or more from the edge of the parcel;
  - 2. a stream of water running into a street or swale and directly into a catch basin; or
  - 3. a stream or spray of water running into or falling onto a street or sidewalk.
- 3.6.3. Notwithstanding the prohibitions in Section 3.6, the Chief Administrative Officer may authorize the discharge of Potable Water onto a street or sidewalk for the purposes of:
  - 1. health and safety;



2. the installation and maintenance of infrastructure, including the flushing of water mains, hydrant leads and water service connections;
3. preventing the freezing of water mains, hydrant leads and water service connections;
4. conducting water flow tests;
5. installation and testing of permanently installed irrigation systems;
6. training programs for fire fighters employed by the Town of Picture Butte; or
7. other purposes as deemed necessary by the Chief Administrative Officer from time to time.

#### 4. SEWERAGE

##### 4.1. GENERAL PROVISIONS

###### 4.1.1. CONNECTING TO SANITARY SEWER

1. The Owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Town and abutting on any highway, or right-of-way in which there is now or hereafter located a sanitary Sewer of the Town, is hereby required at his expense to install suitable Sewage waste disposal facilities therein and to connect such facilities directly with the proper sanitary Sewer System of the Town in accordance with the provisions of the Plumbing and Drainage Act within sixty days after the date of notice from the Health Office or Plumbing Inspector to do so.
2. Except as permitted by this Bylaw or the Town plumbing requirements or the regulations of the Provincial Board of Health, no Person shall construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of Sewage in the Town.
3. All new development is required to discharge foundation drain water into a sump. Sumps shall discharge to the stormwater system, in a manner as identified in the City of Lethbridge Engineering Standards and Design Guidelines.
4. No sump pump shall be directly connected to any part of a plumbing system that connects to a sanitary service connection.
5. Only recreational vehicles shall be permitted to dump into the Town's sanitation dump located at the Regional Park.

###### 4.1.2. PROHIBITION OF DISCHARGE

1. Except as hereinafter provided, no Person shall release or discharge or cause or permit the discharge or deposit of matter of a kind listed below into any of the Town's Sewer:
  - a. Matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a Sewage works employee, or which may be or may become harmful to a Sewage works, or which may interfere with the proper operation of a Sewage works, or which may impair or interfere with any Sewage treatment process, or which is or may result in a hazard to any Person, animal, property or vegetation and without limiting the generality of the foregoing, any of the following;

- b. Solid or viscous substances in quantities or of such size as to be capable of causing an obstruction to the flow in the Sewer System or other interference with the proper operation of the Sewage collection system and treatment facilities, including but not limited to paunch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines, guts, tissues or stomach casings, whole blood, bones, hides or parts thereof, animal fat or flesh in particles larger than will pass through a quarter inch screen, manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations, any Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, and un-ground Garbage.
- c. Sewage that may be noxious or may cause an offensive odour to emanate from the Sewer System, and without limiting the generality of the foregoing, Sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, carbon monoxide, amines or ammonia in such quantities that may cause an offensive odour.
- d. Water that has originated from a source separate from the water distribution system of the Town except as permitted in writing by the Town.
- e. Sewage containing flammable or explosive materials, such as gasoline, naphtha, or hexane of a quantity that could cause or contribute to an explosion or support combustion in the Sewer System.
- f. Sewage containing dyes or colouring materials which pass through the Sewer System and discolours the wastewater treatment plant effluent.
- g. Sewage or water at a temperature greater than 75 degrees Celsius.
- h. Sewage having a pH of lower than 5.5 or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to the structures, equipment and personnel of the Town.
- i. Sewage in which the COD exceeds 10,000 mg/L.
- j. Sewage containing more than 10,000 mg/L of TSS.
- k. Sewage containing more than 50 mg/L of total Kjeldahl nitrogen expressed as TKN-N.
- l. Sewage containing more than 10 mg/L of total phosphorus expressed as P.
- m. Sewage containing more than 300 mg/L of solvent extractable material (TOG: total oil and Grease).
- n. Sewage containing more than 25 mg/L of solvent extractable non-polar material (TPH: total petroleum hydrocarbons).
- o. Sewage containing any of the following in excess of the indicated concentrations:

1500 mg/L

Chlorides expressed as Cl

Sulphates expressed as SO<sub>4</sub>

50 mg/L

Aluminum expressed as Al

Iron expressed as Fe

10 mg/L  
Fluoride expressed as F

5 mg/L  
Antimony expressed as Sb  
Bismuth expressed as Bi  
Cobalt expressed as Co  
Lead expressed as Pb  
Manganese expressed as Mn  
Molybdenum expressed as Mo  
Silver expressed as Ag  
Tin expressed as Sn  
Titanium expressed as Ti  
Vanadium expressed as V

3mg/L  
Chromium expressed as Cr  
Copper expressed as Cu  
Cyanide expressed as CN  
Nickel expressed as Ni  
Sulphides expressed as S  
Zinc expressed as Zn

1 mg/L  
Arsenic expressed as As  
Beryllium expressed as Be  
BTEX - total of benzene, toluene, ethylbenzene and  
xylenes  
Cadmium expressed as Cd  
Phenol Compounds  
Selenium expressed as Se

0.05 mg/L  
Mercury expressed as Hg

2. The following wastes in any amount:
  - a. Biological hazardous waste
  - b. Hazardous waste chemicals
  - c. Pesticides (including herbicides and insecticides)
  - d. Polychlorinated biphenyls (PCBs)
  - e. Radioactive materials and wastes
3. In determining whether the limit with respect to any matter prescribed in Section 4.1.2. is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be obtained by dilution.
4. Section 4.1.2. does not apply to prevent the discharge of human waste.

#### 4.1.3. INTERCEPTORS

1. Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of business when in the opinion of the Town they are necessary for the

proper handling of liquid waste containing Grease in excessive amounts, or any flammable wastes, sand, other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director Town and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all Grease, oil and sand interceptors shall be maintained by the occupant Owner at his/her expense in continuously efficient operation at all times.

#### 4.1.4. BLOCKAGE

1. In case any blockage, either wholly or in part, of said Sewer system is caused by reason of failure, omission or neglect to comply strictly with the foregoing provisions, the Owner concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the Town for all costs of clearing such blockage and for any other amount for which the Town may be held legally liable because of such blockage.

#### 4.1.5. INSPECTIONS

1. The Town shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission or neglect to clean out sumps, or discloses any defect in the location, construction, design or maintenance of the Sewer Service Line, the Person making such inspection shall in writing notify the said Owner to rectify the cause of complaint.
2. No Person except duly authorized employees of the Town, shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town Sewer.

#### 4.1.6. LIABLE FOR DAMAGES

1. The Town is not liable for damages:
  - a. caused by the breaking, plugging or stoppage of any sanitary Sewer main or storm sewer main;
  - b. caused by the interference with the supply of any water service or Sewer necessary in connection with the repair or proper maintenance of Sewers;
  - c. generally for any accident due to the operation of the sewerage disposal system of the Town; unless such accident is shown to be directly due to the negligence of the Town or its employees.

### 4.2. DOMESTIC CUSTOMERS

- 4.2.1. A Domestic Customer that owns or occupies a property connected with the Town Sewer System shall pay to the Town:
  1. The fixed “sewage service charge” as specified in the Service Fees, Rates and Charges Bylaw for each Town water meter on the property.

### 4.3. COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL CUSTOMERS

- 4.3.1. A Commercial, Industrial and Institutional Customers that own or occupy a property connected with the Town Sewer System shall pay to the Town:

1. The fixed “sewage service charge” as specified in the Service Fees, Rates and Charges Bylaw for each Town water meter on the property, and
  2. A Surcharge as calculated in Section 4.3.5. when Sewage exceeds the Discharge Limits.
  3. The sampling costs as specified in the Service Fees, Rates and Charges Bylaw when Sewage exceeds the Discharge Limits.
    - a. Sampling Costs shall continue until the Commercial, Industrial or Institutional Customer’s Sewage is not in violation of the Discharge Limits for a period of three consecutive months.
- 4.3.2. A Surcharge is levied when the concentration of one or more of the characteristic components in the discharged sewage is higher than the maximum concentration permitted for those components. The maximum permitted concentration for each sewage component is set out in Schedule “B”.
- 4.3.3. In determining sewage characteristics for Surcharge purposes, samples shall be of at least one hour’s accumulation when received in the automatic proportional samplers, or of a composite of four separate grab samples collected within a one hour period when no functional proportional sample exist.
- 4.3.4. Where a Sewage sample characteristic of either BOD, TSS or Grease be in excess of the Discharge Limits as set forth in Schedule “B” and the samples were collected according to Section 4.3.9., the Commercial, Industrial or Institutional Customer discharging such Sewage shall be in violation of the Discharge Limits.
1. When a Commercial, Industrial or Institutional Customer is in violation of the Discharge Limits the Town shall collect one sample per week from the Commercial, Industrial or Institutional Premise. This practice will continue until the Commercial, Industrial or Institutional Customer is not in violation of the Discharge Limits for a period of three consecutive months.
- 4.3.5. The Surcharge shall be calculated by:
1. Calculating a monthly average for BOD, TSS or Grease levels, based upon the results of the grab samples as outlined in Section 4.3.9.
  2. Subtracting the allowable limit from monthly averaged BOD, TSS or Grease level.
  3. Multiplying the difference of Section 4.3.5.2. by the waste water flow.
    - a. Waste water flow is the volume of Sewage effluent discharged from the property into the Town Sewer System. When waste water flow is not recorded by a functional sewage meter, the flow to the Sewer System shall be equal to ninety-five percent water consumption as recorded on the Customer’s water meters less the volume recorded on approved exemption meters.
  4. Multiplying the result of 4.3.5.3. by the Surcharge.

This calculation can be expressed as [Average monthly reading (mg/L) minus allowable limit (mg/L)] times [wastewater flow (m<sup>3</sup>)] times [surcharge rate (\$/kg)]

5. No credit will be given for any BOD, TSS or Grease levels that are not in violation of the Discharge Limits.
  6. Only one of the Sewage sample characteristics of B.O.D. TSS, or Grease needs to be in excess of the Discharge Limits to constitute a Discharge Limits violation.
- 4.3.6. The Director may authorize adjustments to the billed sewage characteristics where the casual incident is accidental in nature and results in sewage characteristic values greater than twice (2x) the median value for the billing period. Said adjustment shall be limited to a maximum of twice (2x) the median value.
- 4.3.7. All new Industrial, Institutional or Commercial 2 Premises shall provide and erect a suitable enclosure to facilitate sewage sampling and flow measurement. The enclosure shall be of a type and in a location to the satisfaction of the Town. The Industrial, Institutional and Commercial 2 Customers shall discharge all sewage from waste from their property through such meter and sewage sampler.
- 4.3.8. Characteristics of Sewage Effluent
1. The Town shall from time to time determine the characteristics of the sewage effluent being discharged into Sewer System from each property of a Commercial, Industrial or Institutional Customer in the Town.
  2. The Town, in determining the characteristics of the Sewage effluent being discharged, may:
    - a. cause sampling and analysis of the Sewage effluent to be taken; and
    - b. consider the type of industry or business being conducted or operated by the Person; and
    - c. consider such other information as the Town may deem necessary.
  3. The Town shall maintain a record of investigations made in respect to each Commercial, Industrial or Institutional Customer.
- 4.3.9. Testing of Effluent
1. The Town may direct any Commercial, Industrial or Institutional Customer connected or about to connect to the Town's Sewer System that the characteristics of such Customer's Sewage effluent being discharged into the system be tested.
  2. The testing of the characteristics of the Sewage shall be done by sampling and an analysis of the Sewage effluent composed of a minimum of three (3) days of composite sampling during a period of three calendar months (quarterly). When more than three samples are taken and analyzed the maximum resulting characteristics of the three highest daily results shall determine the Customer's Sewage characteristics.
  3. Samples are to be collected from a Sewage sampler or, in its absence, samples shall be composited on a twenty-four (24) hour or more basis and the weighed fraction of each test shall be averaged throughout the three day test period.
  4. All costs of tests, sampling and analysis as outlined in Section 4.3.9. shall be borne by the Town.

#### 4.3.10. Connections to Sewage System

1. Each Commercial, Industrial or Institutional Customer desiring to become connected to the Town's Sewer System shall, prior to being joined to the Sewer System, supply to the Town information on the quality and quantity of its proposed plant's Sewage effluent.
2. the information to the Town shall include:
  - a. Sewage volume;
  - b. Biochemical oxygen demand;
  - c. suspended solids;
  - d. "pH" factor of alkalinity or acidity;
  - e. temperature;
  - f. concentration of wastes and type; and
  - g. Chemical oxygen demand; and
  - h. such other information as the Director Town deems pertinent.
3. Prior to approving a building application, Town is of the opinion that any proposed new development of a potential Commercial, Industrial or Institutional Customer may discharge Sewage effluent of a volume or quality which would cause the existing Sewer systems and plant to exceed its capacity, it may refuse permission for such a proposed plant to be connected with the existing Sewer System.
4. The Town may, by its officers, employees and agents, enter upon any property and Premises served or to be served with the Town's Sewer System and into which Sewage effluent may be discharged for the purpose of obtaining samples of such Sewage effluent.
5. If the Director is of the opinion that it is necessary, he may order a Commercial, Industrial or Institutional Customer to install a suitable control manhole to permit the observation, sampling and measurement of the Sewage effluent discharged by the Customer into the Town Sewer System.
6. The construction of any manhole pursuant to Section 4.3.10.5. shall be accessible, safely located, and constructed in accordance with plans approved by the Town.
7. The cost of constructing and maintaining a manhole pursuant to Section 4.3.10.5. shall be borne by the Commercial, Industrial or Institutional Customer who shall maintain the same in a safe and accessible manner.

#### 4.3.11. Prohibition or Control of Discharge

1. The Town may prohibit or control the discharge of any wastes or Sewage effluent or types before the same is discharged by any Commercial, Industrial or Institutional Customer into the Town's Sewer System by:
  - a. Requiring the Customer to provide preliminary treatment of such Sewage effluent, wastes, or other deleterious matter, substance or thing, whether liquid or solid.
  - b. Requiring the Owner of any property to construct and properly maintain such works as the Town may deem necessary for the proper treatment of any



Sewage effluent, wastes or other deleterious matter, substance or thing, whether liquid or solid, before the same is discharged into any stream, water course, or the Town's Sewer System.

- c. Preventing the discharge of any Sewage effluent, wastes or other deleterious matter, substance or thing, whether liquid or solid into any stream, watercourse, or the Town's Sewer System where works ordered to be constructed have not been constructed or maintained to the satisfaction of the Town.
- 2. Without limiting the generality of Section 4.3.11, the Town may order any Commercial, Industrial or Institutional Customer to construct, to properly maintain and operate at all times such works for the preliminary treatment of Sewage wastes, as may be required to prevent any of the matters, things or substances referred in Section 4.1.2 from being released or discharged into the Sewer system of the Town from such Premise.
  - 3. No commercial sewer, drain, or septic tank cleaning business shall be given permission to discharge into the Town's Sewer System unless providing service to the Town and prior approval has been given.

## 5. WASTE MANAGEMENT

### 5.1. General Provisions

- 5.1.1. No Person shall collect, dispose of or remove Refuse Garbage except in accordance with the provisions of this Bylaw.
- 5.1.2. No Person other than a Customer, or the Refuse Garbage Collector shall open any Garbage Bin or Grass Container and in any way disturb the contents thereof or handle, interfere with or disturb any Garbage put out for collection or removal.
- 5.1.3. No Person shall deposit any, dead animal, manure, excrement, Garbage, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Health Inspector and in accordance with the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 and Regulations.
- 5.1.4. The Garbage Collector, will not remove any Garbage that is in a container other than what is defined in this Bylaw.
- 5.1.5. No Person shall directly or otherwise dispose of or permit any Person to dispose of any hazardous, explosive, volatile, noxious or dangerous device, substance or thing, including hot Ashes or burning matter or any unwrapped wet Garbage in any Garbage Bin, or Grass Container.

### 5.2. COLLECTION AND DISPOSAL

- 5.2.1. The Town will provide one (1) initial Garbage Bin to each Domestic Customer. Additional bins as replacements for damaged, lost or stolen bins are the responsibility of the property Owner and must be purchased through the Town Office for the cost stated in the Service Fees, Rates and Charges Bylaw.

1. The Town will provide up to five (5) Garbage Bins to each Utility account that has their Garbage classified as “Institutional”. Additional bins as replacements for damaged, lost or stolen bins are the responsibility of the property Owner and must be purchased through the Town Office for the cost stated in the Service Fees, Rates and Charges Bylaw.
- 5.2.2. All Customers shall maintain their Garbage Bin and Grass Containers. If the Garbage Bin becomes damaged or the Refuse Garbage Collector is unable to pick the Garbage Bin up due to damage the Owner will be responsible to replace the damaged Garbage Bin as outlined in the Service Fees, Rates and Charges Bylaw.
- 5.2.3. Garbage Bins shall be put out on the street directly in front of Customers or Owner’s property on the scheduled day for their pick up as determined by the Town. If directed by the Town, Garbage Bins shall be put in the alley for pick up.
- 5.2.4. Where any Premises is serviced by a lane, Garbage Bins shall not obstruct traffic in the lane.
- 5.2.5. No Person shall leave a Garbage Bin on the street or alley for over 48 hours.
- 5.2.6. All Customers shall put all of their Garbage into plastic bags and place them in the Garbage Bin. The Garbage Bin will not be picked up if Garbage is not placed in plastic bags.
- 5.2.7. All Customers shall ensure that all Garbage shall fit within the Garbage Bin so that the Garbage Bin’s lid is closed. Only Garbage within the Garbage Bin with the lid closed will be disposed of by the Garbage Collector.
- 5.2.8. All Customers shall keep the land in the rear of their Premises to the center line of the lane in a clean and tidy condition and free from Garbage or Yard Waste.
- 5.2.9. Clippings from shrubs and trees shall not be put out for collection unless the same are compactly and securely tied in bundles not exceeding four (4) feet in length.
- 5.2.10. Grass cuttings and garden waste, including weeds shall be placed in a Grass Container and placed for collection in the back alley.
- 5.2.11. Collections of Garbage shall be made by the Garbage Collector on such days and at such times as the Town may appoint. The Garbage Collector shall have the right to enter at all appointed times such portions of all Premises within the Town as may be required for the purpose of performing his collection, removal and disposal duties.
- 5.2.12. The Town shall at any time and from time to time, enter into a contract or contracts with any Person, firm or corporation for the collection, removal and disposal of the whole or any part of the Garbage accumulated within the Town, or may provide for the collection, removal and disposal of Garbage by the use of equipment and employees of the Town.

5.2.13. The Garbage Collector shall not be responsible for the collection and removal of any of the following types of Garbage except under a separate agreement between the Town and the Customer and upon payment of such charges as may be set out in such agreement:

1. Garbage resulting from the construction, repair, decorating, clearing or grading of a building or premises,
2. scrap metal including car bodies, chassis, machinery or parts or garage refuse,
3. household chattel, material or equipment which has an overall length of more than four (4) feet or an overall weight of more than twenty-three (23) kilograms (fifty (50) pounds),
4. other refuse including such items as tires, auto parts and wooden boxes.

5.2.14. The Town may, by written notice, direct any Customer to promptly provide additional Garbage Bins where the Town considers either that the number of Garbage Bins or their condition is inadequate or insufficient in practice to meet the spirit and intent of this Bylaw.

### 5.3. RECYCLING

5.3.1. The Town promotes the use of the recycling depot for those products that can be recycled. To aid in the efficiency of the recycling process products should be sorted, flattened and clean.

5.3.2. Recyclable goods are those goods deemed by the Lethbridge Regional Waste Management Service Commission as recyclable.

## 6. RESCINDING BYLAWS

6.1. This Bylaw hereby rescinds Bylaw No. 860-17.

This Bylaw comes into force and effect upon the final reading thereof.

MOVED by Councillor de Kok to approve the FIRST reading of Bylaw No. 872-18 this the 23<sup>rd</sup> day of July, 2018.

CARRIED

MOVED by Councillor Papworth to approve the SECOND reading of Bylaw No. 872-18 this the 27<sup>th</sup> day of August, 2018.

CARRIED

MOVED by Councillor Feist to approve the THIRD and FINAL reading of Bylaw No. 872-18 this the 27<sup>th</sup> day of August, 2018.

CARRIED

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Mayor

SEAL

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Chief Administrative Officer

**SCHEDULE “A”**

**Specified Penalties**

<b>Section</b>	<b>Violation</b>	<b>Penalty</b>
3.5.2	Stage 1 Water Rationing Order	
	Residential:	\$100
	Industrial, Commercial, Institutional:	\$500
	Stage 2 Water Rationing Order	
	Residential:	\$200
	Industrial, Commercial, Institutional:	\$700
	Stage 3 Water Rationing Order	
	Residential:	\$300
	Industrial, Commercial, Institutional:	\$1,000
	Stage 4 Water Rationing Order	
	Residential:	\$400
	Industrial, Commercial, Institutional:	\$1,500
	Non-compliance with any and all water use prohibitions and restrictions associated with the declaration of a Water Emergency Rationing Order	
	Residential:	\$500
	Industrial, Commercial, Institutional:	\$2,000
	Failure to Comply to any other requirement of the bylaw, where a penalty is not already specified:	
	First Offence	\$250
	Second Offence	\$500
	Third Offence	\$1,000

**SCHEDULE “B”**

**DISCHARGE LIMITS**

For existing Commercial, Institutional and Industrial Customers only:

1 year from bylaw implementation:

BOD:	800 mg/L
TSS:	1,000 mg/L
Grease:	300 mg/L

Second year from bylaw implementation

BOD:	500 mg/L
TSS:	750 mg/L
Grease:	300 mg/L

Third year from bylaw implementation

BOD:	300 mg/L
TSS:	500 mg/L
Grease:	300 mg/L

For new Commercial, Institutional and Industrial Customers

BOD:	300 mg/L
TSS:	500 mg/L
Grease:	300 mg/L

## **SCHEDULE “C”**

### **CUSTOMER ACCOUNT TERMS AND CONDITIONS**

The applicant hereby requests the Town of Picture Butte to: affect the utility service (water, sewer, garbage). The stated premises are occupied as a residence/business. The applicant is the owner of the property.

The applicant agrees to be responsible for any damage which occurs to the premises or associated equipment due to the connection or disconnection of the utility services as requested in this application, unless such damage is due to negligence on the part of the Town.

The applicant agrees to be governed by the Bylaws of the Town and all statutes and regulations of the Province of Alberta regarding the use of utility services and agrees to pay in accordance with the prevailing Utility Rate Bylaws within the stated time.

The Town will take every reasonable precaution to insure continuity of service to its customers, but assumes no responsibility for any damage, inconvenience or annoyance caused by service interruptions at any time or of any duration.

The applicant understands that the Town will supply the utilities only if they are used in a safe and proper manner and that it is a condition precedent to the supply of these utilities that the application will permit any authorized person to enter the premises described above at any reasonable time to ensure the safe and proper use of any of the utilities by the applicant. Should the authorized person be refused permission to enter and inspect the premises, the Town will immediately discontinue the supply of utilities.

The applicant agrees that if the premises are not owner occupied, that the applicant will advise the occupant of the terms and conditions of this application for utility service.

**SCHEDULE “D”**

# TOWN OF PICTURE BUTTE



## WATER RATIONING ACTION PLAN



# Overview

## Responding to Water Rationing

This Water Rationing Action plan is applicable to all users that are supplied water through the City of Lethbridge or Lethbridge Northern Irrigation District distribution systems. This includes Town of Picture Butte residents, industrial/commercial/ institutional customers, raw water users, regional customers (County of Lethbridge residents), and the Town of Picture Butte.

### How to Prepare

**Establish an emergency plan for water rationing in your home or business.**

Some things to consider: Where can I reduce water use in an emergency? How will I reduce?

**Prepare an Emergency Kit that includes provisions for water rationing.**

Check out the City of Lethbridge website or Government of Alberta website for more details.

**Understand when water rationing may be required.**

Know the difference between water rationing and water conservation.

**Engage in water education and awareness.**

Don't be afraid to ask questions!

### How to Respond

Implement your emergency plan and reduce water usage. Understand and follow any restrictions and prohibitions in this Water Rationing Plan.

### How to Recover

**Find out what happened during water rationing.**

Refer to the City of Lethbridge website and social media feeds to find out why rationing was required and how your efforts helped.

**Discover ways you can be more prepared for future water rationing.**

Review your emergency plan with your family or employees and make any changes necessary. Keep your plan up to date and review it regularly.

**Consider your water usage throughout the year.**

Refer to the City of Lethbridge's Water Conservation Plan and the Water Conservation Strategy for ideas to increase water efficiency in your home and/or business.

# Water Rationing Stages

## Stage 1: Community Aware

Demand Reduction Target: 5%

TRIGGER: When the water level in the Oldman Reservoir drops below the 25<sup>th</sup> percentile (where only 25 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge

## Stage 2: Community Pressure

Demand Reduction Target: 10%

TRIGGER: When the water level in the Oldman Reservoir drops below the 20<sup>th</sup> percentile (where only 20 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.

## Stage 3: Community Threat

Demand Reduction Target: 15%

TRIGGER: When the water level in the Oldman Reservoir drops below the 15<sup>th</sup> percentile (where only 15 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.

## Stage 4: Community Crisis

Demand Reduction Target: 20%

TRIGGER: When the water level in the Oldman Reservoir drops below the 10<sup>th</sup> percentile (where only 10 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.

## Emergency: Immediate Concern

Demand Reduction Target: Maximum effort

*TRIGGER: Activation of Lethbridge's Emergency Coordination Centre (ECC) in accordance with the City of Lethbridge Municipal Emergency Management Plan, or at the discretion of the Engineer OR the Activation of the Town of Picture Butte Emergency Operations Centre (EOC) in accordance with the Town of Picture Butte's Municipal Emergency Management Plan.*

# STAGE 1: Community Aware

*TRIGGER: When the water level in the Oldman Reservoir drops below the 25th percentile (where only 25 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge*

## Outdoor Water Rationing Actions:

### Prohibitions:

- Irrigating gardens and lawns other than on Monday and as detailed below:
  - Watering allowed only up to 2 HOURS before 10 a.m. or after 6 p.m.
- Watering that results in runoff, including to ditches, swales, storm drains, and gutters.
  - Including: Lawns, trees, shrubs, gardens and bedding plants, washing or hosing down sidewalks, driveways and streets.
- Washing vehicles at locations other than commercial car washes.
  - Washing vehicles in driveways, fundraising car washes
- Washing down outdoor surfaces.
  - Exterior buildings, sidewalks, driveways, walkways, outdoor furniture, patios and decks
- Filling of private in-ground or portable pools/spas/hot tubs larger than 3,000 litres.

### The Town of Picture Butte will:

- Assess the situation and evaluate the risk, while considering the social need and public good.
- **Take part in all Stage 1 rationing, as well as the following:**
  - Turn off water to Town owned fountains.
  - The scheduled filling of outdoor pools will not be changed.
  - Prohibit hydrant flushing except for water quality purposes
  - Provide public updates if and when the situation changes.

## Water Conservation Strategies

- Run dishwashers with FULL loads only.
- Limit washing machine to FULL loads of laundry.
- Limit water for lawns and ornamental container plants in favour of high value assets like trees, shrubs, and food producing gardens.

# STAGE 2: Community Pressure

*TRIGGER: When the water level in the Oldman Reservoir drops below the 20<sup>th</sup> percentile (where only 20 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.*

## Outdoor Water Rationing Actions:

### Prohibitions:

- All Stage 1 actions plus:
- Irrigating gardens and lawns other than on Monday and as detailed below:
  - Watering allowed only up to 1 HOUR before 10 a.m. or after 6 p.m.
  - For sod, trees and shrubs that were laid or planted within 10 days of the restrictions coming into force or during the restriction period:
    - 2 HOURS per day is allowed for the first 10 days
    - Regular restrictions apply after the first 10 days
  - For laws seeded within 10 days of the restrictions coming into force or during the restriction period:
    - 2 HOURS per day is allowed for the first 20 days
    - Regular restrictions apply after the first 20 days

### The Town of Picture Butte will:

- Assess the situation and evaluate the risk, while considering the social need and public good.
- ***Take part in all Stage 1 and 2 rationing, as well as the following:***
  - Evaluate the need to reduce water use for arenas; adjust the schedule or close the outdoor pool.
  - Reduce the amount of times equipment and vehicles get washed at commercial car washes
- Provide public updates if and when the situation changes.

## Water Conservation Strategies

- Run dishwashers with FULL loads only.
- Limit washing machine to FULL loads of laundry.
- Limit baths to half normal water, and limit showers to 5 minutes.
- Flush toilet only when needed. If its yellow let it mellow if its brown flush it down.

# STAGE 3: Community Threat

*TRIGGER: When the water level in the Oldman Reservoir drops below the 15<sup>th</sup> percentile (where only 15 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.*

## Outdoor Water Rationing Actions: Prohibitions

- All Stage 1 and 2 actions plus:
- Filling outdoor pools, ponds, and hot tubs.
- Use of outdoor irrigation sprinklers.
  - Outdoor watering only allowed using Handheld Containers only on Monday
  - For sod, trees and shrubs that were laid or planted within 5 days of the restrictions coming into force or during the restriction period:
    - 1 HOUR per day is allowed for the first 10 days
    - Regular restrictions apply after the first 10 days
  - For laws seeded within 5 days of the restrictions coming into force or during the restriction period:
    - 1 HOUR per day is allowed for the first 20 days
    - Regular restrictions apply after the first 20 days

## The Town of Picture Butte will:

- Assess the situation and evaluate the risk, while considering the social need and public good.
- Take part in all Stage 1, 2, and 3 rationing, as well as the following:
  - Evaluate the need to reduce water use for arenas; adjust the schedule or close the outdoor pool.
  - Not wash any Town owned vehicles or equipment, unless it is absolutely necessary for safety or functionality purposes.
- Engage in regular communications with critical infrastructure and key stakeholders.
- Provide public updates if and when the situation changes.

## Water Conservation Strategies

- Reduce the use of dishwasher and clothes washer.
- Flush toilet only when needed. If its yellow let it mellow if its brown flush it down.
- Shower instead of bathe; limit showers to a maximum of 5 minutes
- Washing vehicles at commercial car washing facilities that use treated water is discouraged.

# STAGE 4: Community Crisis

*TRIGGER: When the water level in the Oldman Reservoir drops below the 10<sup>th</sup> percentile (where only 10 per cent of historical data is lower) for more than one week, or at the discretion of the City of Lethbridge.*

## Outdoor Water Rationing Actions: Prohibitions

- All Stage 1, 2 and 3 actions plus:
- No outdoor watering, including with handheld containers.
- Washing vehicles at commercial car washing facilities that use treated water.

## Town of Picture Butte will:

- Assess the situation and evaluate the risk, while considering the social need and public good.
- Take part in all Stage 1, 2, 3 and 4 rationing, as well as the following:
  - Evaluate the need to reduce water use for arenas; adjust the schedule or close the outdoor pool.
  - Suspend use of water for construction purposes including grading, compaction, dust control etc.
- Provide public updates if and when the situation changes.

## Water Conservation Strategies

- Restrict hand washing of dishes if and when possible.
- Limit dishwasher and clothes washer use to full loads.
- Flush toilet only when needed. If its yellow let it mellow if its brown flush it down.
- Reduce shower times to 3 to 5 minutes.

# EMERGENCY: Immediate Concern

*TRIGGER: Activation of Lethbridge's Emergency Coordination Centre (ECC) in accordance with the City of Lethbridge Municipal Emergency Management Plan, or at the discretion of the Engineer OR the Activation of the Town of Picture Butte Emergency Operations Centre (EOC) in accordance with the Town of Picture Butte's Municipal Emergency Management Plan.*

Emergency water rationing may be required due to one or more of the following reasons or situations:

- Mechanical issues/failures
- Water quality concerns
- Infrastructure threats
- Environmental pressures

## Prohibitions

- All stage 1, 2, 3, and 4 prohibitions

## Town of Picture Butte will:

- Assess the situation and evaluate the risk, while considering the social need and public good.
- Inform the community of the situation and need for emergency water rationing.
- Strive for a 40%+ reduction in water usage until the situation and resolution are understood, at which time the reduction level target will be reevaluated and communicated to the public.
- Inform the public of the estimated timeline for emergency water rationing as information becomes available.

## Water Conservation Strategies

- Take all actions possible to reduce water use.
- Do not run the tap unnecessarily.
- Reuse water where possible.
- Shower instead of bathe, keep showers to 3 to 5 minutes.
- Only use the dishwasher and clothes washer when necessary and only with full loads.
- Flush toilet only when needed. If its yellow let it mellow if its brown flush it down.



# Water Rationing Stages Summary Chart

Watering Activity	Stage 1 Demand Reduction Target: 5%	Stage 2 Demand Reduction Target: 10%	Stage 3 Demand Reduction Target: 15%	Stage 4 Demand Reduction Target: 20%+
Runoff down sidewalks, driveways and streets	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Washing down outdoor surfaces	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Water for decorative features or fountains	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Irrigation sprinkling for Residential and Commercial lawns	MONDAYS ONLY		Not Allowed	Not Allowed
	Up to 2 hours Before 10 a.m. and after 6 p.m.	Up to 1 hour Before 10 a.m. and after 6 p.m.		
Hand watering for flower beds, gardens, trees, and shrubs	Allowed	Allowed	Hand Watering Only Monday only	Not Allowed
Newly planted grass trees and shrubs Note: if Stage 2 is reached, it is recommended that NO NEW planting occur	Allowed	Refer to Water Rationing Action Plan	Refer to Water Rationing Action Plan	Not Allowed
Water for pools, ponds and hot tubs	Allowed	Allowed	Not Allowed	Not Allowed
Water for construction purposes	Allowed	Allowed	Allowed	Not Allowed
Washing vehicles at car washes	Allowed	Allowed	Discouraged	Not Allowed
<b>Water Emergency: Demand Reduction Target: Maximum Effort</b> Emergencies may be due to mechanical issues/failures, water quality concerns, infrastructure failures or environmental pressures. Emergency water rationing will require IMMEDIATE reduction in water use. Keep informed on areas affected and actions that are needed.				

# Town of Picture Butte

## Bylaw No. 875 – 18

### BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO RESTRICT THE CONSUMPTION OF CANNABIS IN PUBLIC PLACES;

**WHEREAS** the House of Commons has given three readings to the Cannabis Act (Bill C-45, An Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, 1st Sess., 42nd Parl, 2017) which will permit persons to possess Cannabis if purchased from an authorized person;

**AND WHEREAS** the Cannabis Act came into force on October 17, 2018;

**AND WHEREAS** the Province of Alberta has enacted An Act to Control and Regulate Cannabis, S.A. 2017, c. 21 which places restrictions on the Smoking or Vaping of Cannabis in Public Places;

**AND WHEREAS** pursuant to section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council may pass bylaws respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) people activities and things in, on or near a Public Place that is open to the public; and
- (c) the enforcement of bylaws made under the Municipal Government Act or any other enactment;

**AND WHEREAS** Council deems it necessary to impose additional restrictions on the Smoking, Vaping and other forms of consumption of Cannabis in Public Places to prevent behaviours and conduct that may have a negative impact on the enjoyment of Public Places;

**NOW THEREFORE** the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

#### Short Title

1. This Bylaw may be cited as the "Cannabis Consumption Bylaw"

#### Definitions and Interpretations

2. (1) In this Bylaw:
  - a. "Cannabis" has the meaning given to it in the Cannabis Act;
  - b. "Cannabis Act" means Bill C-45, An Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Act, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2017;
  - c. "Electronic Smoking Device" means an electronic device that can be used to deliver a vapour, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe;
  - d. "Officer" means a member of the Royal Canadian Mounted Police or a special constable or Bylaw Enforcement Officer of the Town of Picture Butte.
  - e. "Public Place" includes any place to which the public has access as of right or by invitation, express or implied;
  - f. "Smoke" or "Smoking" means:
    - i. inhaling or exhaling the smoke produced by burning or heating Cannabis;
    - or

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- ii. holding or otherwise having control of any device or thing containing lit or heated Cannabis;
  - g. "Vape" or "Vaping" means:
    - i. inhaling or exhaling the vapour, emissions or aerosol produced by an Electronic Smoking Device or similar device containing Cannabis, or
    - ii. holding or otherwise having control of an Electronic Smoking Device that is producing vapour, emissions or aerosol from Cannabis.
- (2) All Schedules attached to this Bylaw form part of this Bylaw.
- (3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.
- (4) Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference is to the act, regulation, code or other bylaw as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- (5) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- (6) Nothing in this Bylaw relieves a person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or license.

### **Prohibition**

3. A person must not Smoke, Vape or consume Cannabis in any Public Place.

### **Offences**

4. Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw.

### **Enforcement**

5. (1) Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*.
- (2) This section shall not prevent an Officer from issuing a violation ticket requiring a court appearance of the defendant pursuant to the *Provincial Offences Procedure Act* or from laying information instead of issuing a violation ticket.

### **Penalty**

6. (1) Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the specified penalty for the offence
- (2) Where there is a minimum penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum penalty for the offence.

(3) In this section, "specified penalty" means an amount that can be paid by a person who is issued a violation ticket and is authorized to make a voluntary payment without a Court appearance.

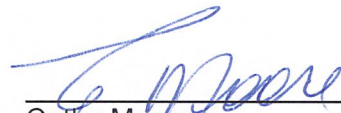
### **Coming Into Force**

7. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.


MOVED by Councillor de Kok to approve FIRST reading of Bylaw #875-18 this 22<sup>nd</sup> day of October, 2018.  
CARRIED

MOVED by Councillor de Kok to approve SECOND reading of Bylaw #875-18 this 17<sup>th</sup> day of December, 2018.  
CARRIED

MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #875-18 this 17<sup>th</sup> day of December, 2018.  
CARRIED

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

SEAL

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

SCHEDULE A

PENALTIES

Section	Description of Offence	Minimum Penalty	Specified Penalty
3	Smoke, Vape or consume Cannabis in Public Place	\$50	\$200 Subsequent offences within one (1) year will increase by \$100 per offence

Am/W



TOWN OF PICTURE BUTTE  
BYLAW NO. 879-19

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaws 690-92 and 872-18".

2. AMENDMENTS:

- 2.1. Bylaw No. 690-92 shall be amended as follows:

2.1.1. Delete Section 3 (f) wording:

1. "...showing payment of the license fee for the current dog license year and upon payment of the sum on ONE DOLLAR (\$1.00) for the issuance of a replacement tag".

2.1.2. Replace Section 3 (f) wording with:

1. "...showing payment of the license fee for the current dog license year and upon receiving the payment, as outlined in Schedule "A", for the issuance of a replacement tag".

2.1.3. Delete Schedule A and replace with "Bylaw No. 690-92 Schedule A" as attached hereto.

2.1.4. Delete Schedule C.

- 2.2. Bylaw No. 872-18 shall be amended as follows:

2.2.1. Schedule A: Water Rates:

1. Bulk Water Truck Fill: Water per cubic meter: Change from \$4.00 to \$4.32

2.2.2. Schedule A: Waste Management Rates: Garbage Collection:

1. Residential: Change from \$16.75 to \$19.00  
2. Multi-Unit Dwelling: Change from \$11.00 to 13.75  
3. Mobile Home Park: Change from \$14.24 to \$16.15  
4. Commercial: Change from \$22.50 to \$25.50  
5. Mixed Commercial / Residential from \$22.50 to \$25.50  
6. Institutional: Change from \$102.00 to \$104.25

3. COMING INTO EFFECT

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

MOVED by Councillor de Kok to approve FIRST reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED

MOVED by Councillor Papworth to approve SECOND Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED


MOVED by Councillor Feist that permission be granted to move to THIRD AND FINAL reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED UNANIMOUSLY

MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #879-19 this 28<sup>th</sup> day of January, 2019.

CARRIED

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Bylaw No. 690-92  
Schedule "A"

AMENDED BY BYLAW NO. 879-19

Annual Licenses:

Unaltered dog	\$ 30.00
Altered dog	\$ 20.00
Senior or blind person	No charge
Dog Fancier's License	\$ 30.00
Impounded Animals per day (after initial 24 hours)	\$ 30.00
Replacement Dog Tag	\$ 5.00

Dog licenses purchased after September 30<sup>th</sup> will be charged at half the annual rate

Fees

1. ~~The owner of every dog, male or female shall pay the following annual license fee.....\$5.00~~
2. ~~Dogs owned by blind persons and senior citizens shall be registered with the License Inspector.....Free of Charge.~~
3. ~~Kennel License.....Home Occupations Permit  
(Licensing Bylaw #689/92)~~
4. ~~Dog Fancier's License.....\$30.00~~
5. ~~Maintenance fee for impounded animals (after initial 24 hours), per day \$10.00~~
6. ~~Request for destruction or disposal of a dog:  
— during normal business hours.....\$25.00  
— after normal business hours, and on Saturday's,  
Sunday's and holidays:.....\$70.00~~

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Schedule "C"

~~DESTRUCTION OR DISPOSAL OF A DOG~~

I, \_\_\_\_\_ of \_\_\_\_\_ in the Town of Picture Butte,  
in the Province of Alberta, request that the Town Dog Control Officer destroy or dispose of the  
following described  
dog. \_\_\_\_\_  
\_\_\_\_\_

And I hereby:

- 1) \_\_\_\_\_ Certify that I own the said dog or have authority from the owner to have it:
  - a) \_\_\_\_\_ Destroyed;
  - b) \_\_\_\_\_ Disposed of.
- 2) \_\_\_\_\_ Agree to indemnify and save the Town of Picture Butte harmless from any and all claims or actions that may arise as a result of this request.
- 3) \_\_\_\_\_ I agree to pay the Town of Picture Butte:
  - a) \_\_\_\_\_ A fee of \$25.00 during normal business hours;
  - b) \_\_\_\_\_ A fee of \$70.00 after normal business hours or on a Saturday, Sunday, or holiday

For the services requested.

DATED at the Town of Picture Butte, in the Province of Alberta, this \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. 19\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

Bylaw No 872-18  
SCHEDULE "A"

WATER RATES

Non-Residential/Single Dwelling Residential:	\$48.50 per month
Multi-Unit Dwelling:	\$48.50 per month per dwelling unit
Mobile Home Parks:	\$41.23 per month per dwelling unit
Institutional	\$48.50 per month
Overages	\$1.90 per cubic meter
Accounts outside Town limits:	Double the pertinent in-Town rate
Overages outside Town limits:	\$2.10 per cubic meter

- 20 cubic meters of water will be supplied to each dwelling unit per month for the monthly fee.
- Overages will be charged according to water usage over and above the 20 cubic meters of water supplied per month.
- For Multi-Unit Dwellings and for Mobile Home Parks the per month fee will be multiplied by the number of dwelling units, regardless of whether the dwelling is occupied or vacant.

Bulk Water Truck Fill	
Account Set Up and Card	\$25.00
Water per cubic meter	\$ <del>4.00</del> \$4.32
Water Card Replacement	\$10.00

Raw Water	
Residential	\$125.00 annually
Non Residential	\$330.00 annually

Water Meters	
Installation	\$550.00
Removal	\$ 50.00
Repair or Replacement	Cost + 10%
Meter Test	\$125.00

- Repair or replacement charges will only be applied when there is evidence that the meter needs repair or replacement because it has been tampered with.

Utility Disconnection Fee	
Administrative Disconnect	\$ 25.00
Physical Disconnect	\$ 65.00 (Regular work hours)
	\$150.00 (Non-regular work hours)

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SEWERAGE RATES

DOMESTIC CUSTOMERS

Single-Unit Dwelling	\$18.75 per month
Multi-Unit Dwelling	\$18.75 per month per dwelling unit
Mobile Home Park	\$15.94 per month per dwelling unit

INSTITUTIONAL CUSTOMERS	\$107.50 per month
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COMMERCIAL 1 CUSTOMERS	\$18.75 per month
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- Banks and Financial Institutions
- Confectionary
- Liquor Stores
- Medical Clinics
- Meeting Places
- Professional Offices
- Pharmacy
- Places of Worship
- Retail Outlets

COMMERCIAL 2 CUSTOMERS	\$34.00 per month
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- Fabrication
- Manufacturing
- Machining
- Welding
- Restaurants
- Fast Food Services
- Vehicle Repair

INDUSTRIAL CUSTOMERS	\$107.50 per month
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- Car Washes
- Truck Washes
- Slaughter Houses
- Hotels/Motels

DISCHARGE LIMITS CHARGE – INSTITUTIONAL, COMMERCIAL & INDUSTRIAL CUSTOMERS

BOD	\$0.243/Kg
TSS	\$0.340/Kg

COMMERCIAL/ RESIDENTIAL COMBINED CUSTOMERS	\$34.00 per month
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Accounts Outside of Town Limits	Double the pertinent in-Town rate
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**WASTE MANAGEMENT RATES**  
Amended by Bylaw No. 879-19

**GARBAGE COLLECTION:**

Residential	<del>\$16.75</del> per month \$19.00
Multi-Unit Dwelling	<del>\$11.00</del> per dwelling unit \$13.75
Mobile Home Park	<del>\$14.24</del> per dwelling unit \$16.15
Commercial	<del>\$22.50</del> per weekly pickup per month \$25.50
Mixed Commercial / Residential	<del>\$22.50</del> per weekly pickup per month \$25.50
Institutional	<del>\$102.00</del> per month (2 weekly pickups) \$104.25
Garbage Bin Replacement	\$100.00 per bin

**UTILITY PENALITIES AND FINE RATES**

Utilities in Arrears	2% per month (26.82% per annum)
Non Sufficient Funds (NSF)	\$45.00 per incident.
Failure to Comply	
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1000.00

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**Town of Picture Butte  
IN THE PROVINCE OF ALBERTA**

**CHINOOK INTERMUNICIPAL SUBDIVISION  
AND DEVELOPMENT APPEAL BOARD  
BYLAW NO. 880-19**

A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD;

AND WHEREAS the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* as amended from time to time requires the municipality to adopt a bylaw to establish a Municipal Subdivision and Development Appeal Board or an Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Council of the Town of Picture Butte wishes to join other area municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Chinook Intermunicipal Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of a Subdivision Authority or a Development Authority in accordance with the South Saskatchewan Regional Plan (SSRP), the *Municipal Government Act (MGA)*, the Subdivision and Development Regulation, the local Land Use Bylaw and statutory plans;

NOW THEREFORE, the Council of the Town of Picture Butte in the Province of Alberta duly assembled, enacts as follows:

**1. TITLE**

This Bylaw may be cited as the Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw.

**2. AUTHORIZATION**

Pursuant to section 627(1)(b) of the *MGA*, this bylaw hereby authorizes the municipality to enter an agreement with the other participating municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

**3. DEFINITIONS**

**Appellant** means the person who may file an appeal to the Board from decisions of a Subdivision Authority or a Development Authority in accordance with the *MGA*.

**Board** means the Chinook Intermunicipal Subdivision and Development Appeal Board established pursuant to this bylaw.

**Board Member** means an appointed member of the Chinook Intermunicipal Subdivision and Development Appeal Board appointed in accordance with this bylaw and who has obtained provincial training and certification.

**Board Panel** means the group of appointed Board Members actively sitting to hear and decide on an appeal at an appeal hearing.

**Chair** means the person elected from the Board panel members sitting to hear an appeal to act as the person who presides over the hearing and the procedures.

**Chief Administrative Officer (CAO)** means the individual appointed to the position for the municipality in accordance with the *MGA*.

**Clerk** means the person or persons who has completed training and is certified by the province and authorized to act as the administrative clerk for the Intermunicipal Subdivision and Development

*(Signature)*

Appeal Board by the member municipality within which the appeal is held.

**Conflict of Interest** means both Common Law Bias and Pecuniary Interest.

**Council** means the Council of the (Municipality).

**Development Authority** has the same meaning as in the *MGA*.

**Hearing** means a public meeting convened before the Board acting as a quasi-judicial body to hear evidence and determine the facts relating to an appeal of decisions of a Subdivision Authority or a Development Authority, prior to the Board making a decision on the matter subject to the appeal.

**Municipality** means the municipal corporation of the Town of Picture Butte together with its jurisdictional boundaries, as the context requires.

**Panel Member** means an individual Board member participating in the group panel to hear an appeal.

**Participating municipality** means a municipality in the Province of Alberta who has entered into an agreement with other municipalities, as referred to in Section 2 of this bylaw, to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

**Procedural guidelines** means the policies, processes and administrative matters applicable to the filing of an appeal and conducting a hearing, and the roles, duties and conduct of Board members and Clerks.

**Subdivision Authority** has the same meaning as in the *MGA*.

**Subdivision and Development Appeal Board** has the same meaning as in the *MGA*.

**Quorum** means the minimum number of Board panel members required to hear an appeal.

**Municipal Government Act (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended from time to time.

**Chinook Intermunicipal Subdivision and Development Appeal Board** means the Board established by agreement to act as the Subdivision and Development Appeal Board.

**All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

#### **4. APPOINTMENT OF THE BOARD**

- (1) The Board is comprised of the member representative(s) as appointed by the participating municipalities.
- (2) A municipality may participate in the Chinook Intermunicipal Subdivision and Development Appeal Board without appointing individual representative(s) by utilizing the appointed Board Members of the other participating member municipalities to act on the municipality's behalf as its appeal body.
- (3) For each member municipality appointing individual Board Member representative(s) to the Chinook Intermunicipal Subdivision and Development Appeal Board, the appointment shall be made by resolution of Council. Appointed Board Members from a municipality shall consist of no more than three (3) members, with no more than one (1) being an elected official and the other two (2) being non-elected officials who are persons at large. If two (2) or less persons are appointed as members, they must be non-elected persons at large.
- (4) For those member municipalities appointing individual representative(s) to the Board, the remaining composition of the Board Panel Members shall be the appointed members from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board.
- (5) Appointments to the Chinook Intermunicipal Subdivision and Development Appeal Board shall be made for a term of not more than three years. Reappointments must coincide with the successful completion of the mandatory provincial refresher training course to be taken every three (3) years.

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- (6) Board Members may be appointed for a two (2) or three (3) year term, at the discretion of the municipality, for the purpose of establishing a staggered expiration of terms amongst the Board Members.
- (7) A Board Member may resign from the Chinook Intermunicipal Subdivision and Development Appeal Board at any time by providing written notice to the municipality to that effect.
- (8) Where Council has appointed a Board Member representative(s) for the municipality, Council may remove its individual appointed Board Member representative(s) at any time if:
  - a) in the opinion of Council, a Board Member is not performing his/her duties in accordance with the MGA, this Bylaw or the rules of natural justice,
  - b) a Board Member is absent for more than three (3) consecutive hearings to which he/she has been assigned to sit on the Board Panel without reasonable cause, or
  - c) a Board Member has participated in a matter in which that Board Member has a Conflict of Interest, contrary to the provisions of this Bylaw.

## **5. COMPOSITION**

- (1) The Board Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall meet in Panels, and two (2) or more Panels may meet simultaneously. The Panels have all the powers, duties and responsibilities of the Subdivision and Development Appeal Board.
- (2) For the purpose of this Bylaw, the Board Panel formed from the appointed members of the Chinook Intermunicipal Subdivision and Development Appeal Board to hear an appeal, shall normally be composed of not less than three persons, with no more than one (1) being an elected official.
- (3) Two Board Members constitute a quorum of the Board Panel.
- (4) If a vacancy of an appointed Board member representative from a municipality shall occur at any time, the municipality may appoint another person to fill the vacancy by resolution of Council.
- (5) In the absence of the municipal appointed member representative(s) of the municipality in which the appeal originates being available to sit on a Panel, then the appointed Panel Member representative(s) from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board shall form the composition of the Board Panel to hear and decide on a matter of appeal on behalf of the municipality.
- (6) Board Panel Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall not be members of a Municipal Subdivision Authority or Development Authority or municipal employees of the municipality in which the appeal is located.
- (7) A person appointed as a Board Member in accordance with this Bylaw must successfully complete and maintain the mandatory provincial training and certification prior to sitting on a Panel to hear an appeal.

## **6. COSTS AND REMUNERATION**

- (1) Board Members may be entitled to reasonable remuneration for time and expenses relating to participating on a Board Panel.
- (2) Costs related to appeal hearings and the remuneration to Board Members shall be provided as specified in the intermunicipal agreement of the participating members of the Chinook Intermunicipal Subdivision and Development Appeal Board.

## **7. DUTIES OF THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- (1) The Chinook Intermunicipal Subdivision and Development Appeal Board shall hold hearings as required pursuant to the *Municipal Government Act* on a date to be determined by the Board.
- (2) The Board, and those Members who sit as a Board Panel hearing an appeal, shall govern its actions and hearings in respect of the processes and procedures as outlined in the Procedural Guidelines.
- (3) A Board Member may only participate in an appeal hearing if they have successfully completed the mandatory provincial training prior to the appeal hearing date.

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- (4) The Board Panel may, at its discretion, agree to adjournments in respect of the processes and procedures as outlined in the Procedural Guidelines.
- (5) A Board Panel hearing an appeal shall appoint a Chair to preside over the proceedings prior to the commencement of the hearing.
- (6) An order, decision or approval made, given or issued by the Board Panel and under the signature of the Chair, or a Board Member acting as a designate, is the decision of the Board.
- (7) The Board Members shall conduct themselves in a professional, impartial and ethical manner and apply the principles of administrative justice and judicial fairness.
- (8) The Board Members shall consider and act in respect of the Chinook Intermunicipal Subdivision and Development Appeal Board Procedural Guidelines.
- (9) The Board does not have the jurisdiction or authority to award pecuniary or monetary awards or costs to any persons, entity or organization involved in an appeal.

## **8. APPEAL FILING**

- (1) An appeal shall be filed in writing by an appellant, in accordance and in the manner prescribed in the *MGA*, to the municipality and include the payment of the applicable municipal appeal fee.
- (2) If there is a question about the validity of an appeal being filed, the Board Panel must convene the appeal hearing in accordance with the *MGA* to establish jurisdiction and then it may decide on the matter of validity. It shall be the responsibility of the Board Panel to make the determination of whether the appeal is valid.
- (3) In the event an appeal is abandoned or withdrawn in writing by the appellant, the Board Panel shall not be obliged to hold the appeal hearing referred to in the *MGA* unless another notice of appeal has been served upon the Board in accordance with the *MGA*.

## **9. CLERK RESPONSIBILITIES AND DUTIES**

- (1) Council shall by resolution appoint a Clerk as a designated officer, or sub-delegate to its CAO the authority to appoint a Clerk or Clerks, for the specific purposes of providing administrative assistance to the Board in fulfilling its legislative duties.
- (2) The appointed Clerk shall attend all meetings and hearings of the Chinook Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Board.
- (3) A person appointed as a Clerk to assist the Chinook Intermunicipal Subdivision and Development Appeal Board in accordance with this bylaw must have successfully completed the mandatory provincial training prior to assisting the Board in its legislative duties.
- (4) The Clerk, acting for the Board, shall accept on behalf of the Board appeals which have been filed with the municipality in relation to a decision of the Subdivision Authority or the Development Authority.
- (5) The Clerk of the Board shall keep records of appeals and proceedings for the municipality in which the appeal has been filed, as outlined in the Procedural Guidelines.

## **10. ADMINISTRATIVE**

- (1) **Singular and Masculine** – Words importing the singular number shall include the plural number and vice versa and words importing one gender only in this Bylaw shall include all genders and words importing parties or persons in this Bylaw shall include individuals, partnerships, corporations, and other entities, legal or otherwise.
- (2) **Severability** – 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.

## 11. ENACTMENT

- (1) This bylaw shall come into effect upon third and final reading thereof.
- (2) This Bylaw rescinds Bylaw No. 752-99, being the former Intermunicipal Subdivision and Development Appeal Board Bylaw, and any amendments thereto.

MOVED by Councillor de Kok to approve FIRST reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

MOVED by Deputy Mayor Watson to approve SECOND reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

MOVED by Councillor Feist that permission be granted to move to THIRD AND FINAL reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED UNANIMOUSLY

MOVED by Mayor Moore to approve THIRD AND FINAL reading of Bylaw #880-19 this 11<sup>th</sup> day of March, 2019.

CARRIED

Seal



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Cathy Moore  
Chief Elected Official



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Keith Davis  
Chief Administrative Officer

**BYLAW NO. 881-19**  
**OF THE TOWN OF PICTURE BUTTE**

(hereinafter referred to as "the Municipality")

**IN THE PROVINCE OF ALBERTA**

**This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of a debenture in the amount of \$1,000,000.00 for the purpose of constructing an outdoor pool basin.**

**WHEREAS:**

The Council of the Town of Picture Butte has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of construction of an outdoor pool basin.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$3,783,791.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Capital Reserves	\$1,568,579.00
Provincial Grants	\$1,215,212.00
Debenture(s)	<u>\$1,000,000.00</u>
Total Cost	\$3,783,791.00

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$1,000,000.00 for a period not to exceed TWENTY FIVE (25) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty five years.

The principal amount of the outstanding debt of the Municipality at December 31, 2018 is \$782,044.00 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of constructing the outdoor pool basin the sum of ONE MILLION DOLLARS (\$1,000,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$1,000,000.00 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the construction of an outdoor pool basin.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed twenty five (25) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed EIGHT (8%) percent.

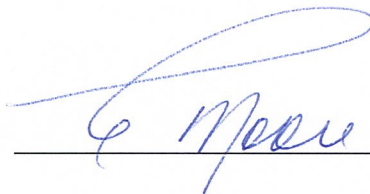
4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
7. This by-law comes into force on the date it is passed.

MOVED by Councillor Feist to approve FIRST reading of Bylaw #881-19 this 8<sup>th</sup> day of April, 2019.  
CARRIED

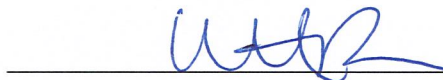
MOVED by Councillor Feist to approve SECOND Bylaw #881-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

MOVED by Councillor Papworth approve THIRD AND FINAL reading of Bylaw #881-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

SEAL



Cathy Moore  
Mayor



Keith Davis  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 882-19**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte has been requested to redesignate (rezone) a portion of lands located at **552 – Rogers Ave (Highway 519) and legally described as Lot 11, Block 2, Plan 169JK**, from “Residential Multi-unit – R5” to “Residential – R1” as shown on the Map in Schedule ‘A’.

AND WHEREAS the purpose of the proposed amendment is to return the lot back to its previous land use designation (zoning) to allow for the future construction of a single detached dwelling on the said property, along with applying the associated specific land use district standards applicable to the parcel of land with a “Residential – R1” designation.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

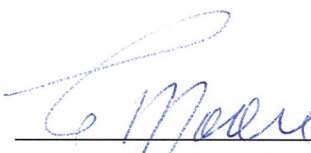
1. Lands, described as Lot 11, Block 2, Plan 169JK as shown on Schedule ‘A’, be redesignated from “Residential Multi-unit – R5” to “Residential – R1”.
2. The Land Use District Map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.


MOVED by Councillor de Kok to approve FIRST reading of Bylaw #882-19 this 8<sup>th</sup> day of April, 2019.  
CARRIED

MOVED by Deputy Mayor Watson to approve SECOND Bylaw #882-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

MOVED by Councillor Papworth to approve THIRD AND FINAL reading of Bylaw #882-19 this 13<sup>th</sup> day of May, 2019.  
CARRIED

Seal

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer



## TOWN OF PICTURE BUTTE

### BYLAW # 883-19

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2019 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on May 27, 2019; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2019 total **\$3,535,527.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$2,204,587.89**, and the balance of **\$1,330,939.11** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 315,750.52	
Non-Residential	<u>\$ 83,104.83</u>	
		\$ 398,855.35
Opted Out School Boards:		
Residential / Farmland	\$ 44,572.51	
Non-Residential	<u>\$ 31,090.25</u>	
		<u>\$ 75,662.76</u>
Total School Requisitions		\$ 474,518.11
Green Acres Foundation (Seniors Requisition)		\$ 25,619.50
Designated Industrial Property (DIP Requisition)		<u>\$ 173.58</u>
<b>Total Requisitions for 2019</b>		<b>\$ 500,311.19</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 130,862,060.00
Residential / Farm Land – Separate	\$ 18,472,970.00
Non-Residential / Linear – Public	\$ 22,190,580.00
Non-Residential / Linear – Separate	\$ 8,301,690.00
Machinery and Equipment – Public	\$ 1,868,310.00
Machinery and Equipment – Separate	<u>\$ 38,720.00</u>
<b>Total Assessment for 2019</b>	<b>\$ 181,734,330.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,051,333.15	\$149,335,030.00	7.04010
Non-Residential and M&E	\$ 279,605.96	\$ 32,399,300.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 315,750.52	\$130,862,060.00	2.41285
Non-Residential	\$ 83,104.83	\$ 22,190,580.00	3.74505
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 44,572.51	\$ 20,039,490.00	2.41285
Non-Residential	\$ 31,090.25	\$ 8,301,690.00	3.74505
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 25,619.50	\$181,734,330.00	0.14097
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 173.58	\$ 2,141,450.00	0.07860
<b>GRAND TOTAL</b>	<b>\$ 1,831,250.30</b>		

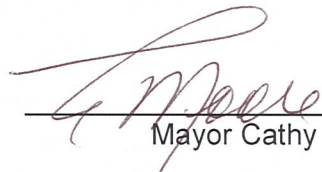
2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 27<sup>th</sup> day of May, 2019

Read a second time in Council assembled this 27<sup>th</sup> day of May, 2019

Council unanimously resolved to proceed to third reading this 27<sup>th</sup> day of May, 2019

Read a third time in Council assembled this 27<sup>th</sup> day of May, 2019

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis



## TOWN OF PICTURE BUTTE

### BYLAW # 884-19

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, RESPECTING THE APPOINTMENT OF BYLAW ENFORCEMENT OFFICERS AND SETTING OUT THE POWERS AND DUTIES OF BYLAW ENFORCEMENT OFFICERS AND ESTABLISHING DISCIPLINARY PROCEDURES OF BYLAW ENFORCEMENT OFFICERS;**

**WHEREAS**, pursuant to Section 555 (1) (2), 556 of the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto, empower Town Council to appoint Bylaw Enforcement Officers for the purpose of enforcing compliance with Bylaws.

**AND WHEREAS**, the Town Council shall by bylaw, set out the powers and duties of Bylaw Enforcement Officers.

**AND WHEREAS**, the Town Council shall, by bylaw, establish disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by Bylaw Enforcement Officers.

The Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, **HEREBY ENACT AS FOLLOWS:**

1. This Bylaw may be cited as the Municipal Enforcement Officers Bylaw.
2. Definitions:
  - a) **"BYLAW"** – means a bylaw of the Town of Picture Butte
  - b) **"BYLAW ENFORCEMENT OFFICER"** - means a person appointed by the Council as such and who, in the execution of his duties, is authorized to enforce compliance of Bylaws.
  - c) **"C.A.O"** – means the Chief Administrative Officer as appointed by Council.
  - d) **"COMMITTEE"** or **"COMMITTEE OF TOWN COUNCIL"** – means a Committee of the Whole Town Council, or any other committee as designated by Council.
  - e) **"COUNCIL"** – means the Municipal Council of the Town duly assembled and acting as such.
  - f) **"DIRECTOR"** – means the Director of Emergency Services for the Town of Picture Butte
  - g) **"TOWN"** - means the Town of Picture Butte.
3. The Council may appoint one or more Bylaw Enforcement Officers for the purpose of enforcing compliance with the Town's Bylaws.
4. The power of the Bylaw Enforcement Officers is as follows:
  - a) To enforce the Bylaw(s) which Council has authorized the Bylaw Enforcement Officer to enforce.
  - b) To respond to and investigate complaints, conduct routine patrols and issue notices, tickets or tags.
  - c) To report to the Director and carry out the directions accordingly.

- d) To perform all other duties as may from time to time be assigned by the Director.
  - e) To take the oath of office as prescribed by the *Oaths of Office Act* upon being appointed a Bylaw Enforcement Officer, and to carry upon their person at all such times as they are active as a Bylaw Enforcement Officer, evidence of their appointment as a Bylaw Enforcement Officer of the Town.
  - f) To assist in the prosecution of breaches of municipal Bylaws including: the gathering of evidence, the attendance of witnesses and any appearances in court that may be required.
5. Where it is alleged that a Bylaw Enforcement Officer in carrying out his power has committed a disciplinary default as defined by the Bylaw, the C.A.O. shall hold a hearing to determine if the disciplinary default occurred.
6. Where the C.A.O. intends to carry out a hearing to determine whether a Bylaw Enforcement Officer has committed a disciplinary breach, the following procedure shall be followed:
- a) Notice shall be given to all parties the C.A.O. considers to be affected by the alleged disciplinary breach:
    - i. Delivery of the notice of the hearing shall be considered received at least two working days prior to the hearing.
    - ii. Notice will inform the affected parties of their right to have a witness / representative, of their choosing, present throughout the hearing.
    - iii. Notice will inform the Bylaw Enforcement Officer of their right to have a witness / representative, of their choosing, present throughout the hearing.
  - b) At the hearing, the C.A.O. shall give the Bylaw Enforcement Officer and the affected parties a reasonable opportunity of furnishing relevant evidence.
  - c) The C.A.O. shall inform the Bylaw Enforcement Officer and the affected parties of the facts and / or allegations in sufficient detail to:
    - i. Permit understanding of the facts and / or allegations, and
    - ii. Afford a reasonable opportunity to furnish relevant evidence or contradict or explain the facts and / or allegations.
  - d) The C.A.O. shall give the Bylaw Enforcement Officer or representative and affected parties or representative an adequate opportunity of making representation by way of argument.
7. The C.A.O. shall, within two working days of the hearing, render a decision, in writing, incorporating one of the following:
- a) A ruling that the Bylaw Enforcement Officer has not committed a disciplinary breach and the file shall be closed;
  - b) Reprimand the Bylaw Enforcement Officer and retain a copy in his file for a period of one year;
  - c) Suspend the Bylaw Enforcement Officer from acting as a Bylaw Enforcement Officer for the Town, but such suspension shall not exceed six months;
  - d) Recommend to Council that the appointment of the Bylaw Enforcement Officer be terminated.

8. An appeal of the decision of the C.A.O. may be commenced by the Bylaw Enforcement Officer by filing a written notice of appeal with the Mayor within 30 days of the receipt of the written decision.
9. The Committee of the Town Council shall hold a hearing into the appeal within 30 days of the appeal to the Mayor.

The Committee shall give reasonable notice of the hearing to the appellant, to the C.A.O. and to such other parties as the Committee considers to be affected by the hearing.

In conducting a hearing, the Committee shall follow the procedures as set out in Clause 6 of this Bylaw. In determining an appeal, the Committee may confirm, revoke or vary the decision or any conditions attached to a decision by the C.A.O. and may:

- a) Rule that the Bylaw Enforcement Officer has not committed a disciplinary breach and the file shall be closed;
  - b) Reprimand the Bylaw Enforcement Officer, in writing, and retain a copy in their file for a period of one year;
  - c) Suspend the Bylaw Enforcement Officer from acting as a Bylaw Enforcement Officer for the Town but such suspension shall not exceed 6 months;
  - d) Recommend to Council that the appointment of the person as a Bylaw Enforcement Officer be terminated.
10. For purposes of this Bylaw, the following shall be disciplinary defaults:
- a) Discreditable conduct, where the Bylaw Enforcement Officer:
    - i. Acts in a disorderly or inappropriate manner, or in a manner prejudicial to discipline or likely to discredit upon the reputation of the Town of Picture Butte;
    - ii. Uses profane, abuse or insulting language
    - iii. Wilfully or negligently makes any false complaints;
    - iv. Is guilty of an indictable offence under a federal statute or an offence punishable upon summary conviction under the Criminal Code (Canada);
    - v. Withhold or suppresses a complaint or report;
    - vi. Abets, connives or is knowingly an accessory to a general default described by this Bylaw.
  - b) Insubordination, where the Bylaw Enforcement Officer, by word, action, and without lawful excuse, disobeys, omits or neglects to carry out any lawful order.
  - c) Neglect of duty, where the Bylaw Enforcement Officer,
    - i. Without lawful excuse neglects or omits to promptly and diligently perform a duty as a Bylaw Enforcement Officer,
    - ii. Fails to work in accordance with orders, or leaves an area, detail or other place of duty without due permission or sufficient cause;
    - iii. Fails, when knowing where an offender is to be found, to report them, or



iv. Fails to report a matter that it is their duty to report.

d) Deceit, where the Bylaw Enforcement Officer

- i. Knowingly makes or signs a false statement in an official document or book;
- ii. Wilfully or negligently makes a false, misleading or inaccurate statement pertaining to official duties, or
- iii. Without lawful excuse destroys, mutilates or conceals an official document or record or alters or erases any entry therein.

e) Breach of confidence, where the Bylaw Enforcement Officer

- i. Divulges any matter which is his duty to keep secret;
- ii. Gives notices, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons;
- iii. Without proper authorization from a superior or in contravention of any rule of the C.A.O. communicates to the news media or to any unauthorized person any law enforcement matter which could be injurious to any person or investigation;
- iv. Without proper authorization from the C.A.O. shows to any person not a Bylaw Enforcement Officer or any unauthorized member of the Town Staff any book or printed paper, document or report relating to any law enforcement matter that is the property of, or in the custody of the Town.

f) Corrupt practice, where the Bylaw Enforcement Officer

- i. Fails to account for or to make a prompt, true return of money or property received in an official capacity;
- ii. Places themselves under a pecuniary or other obligation to a person, in respect of whose conduct or business operation or employment, the member may likely have to report or give evidence, or
- iii. Improperly uses their position as a Bylaw Enforcement Officer for private advantage.

g) Unlawful or unnecessary exercise of authority, where the Bylaw Enforcement Officer is unnecessarily discourteous or uncivil to a member of the public.

h) Consuming intoxicating liquor or drugs in a manner prejudicial to duty where the Bylaw Enforcement Officer

- i. While on duty is unfit for duty through consuming intoxicating liquor or drugs;
- ii. Reports for duty and is unfit for duty through consuming intoxicating liquor or drugs;
- iii. Demands, persuades or attempts to persuade another person to give or purchase or obtain for a Bylaw Enforcement Officer while on duty any intoxicating liquor or drugs.

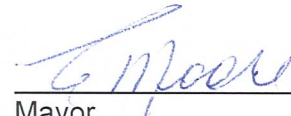
11. This Bylaw comes into force and effect upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 26<sup>TH</sup> DAY OF August, A.D. 2019.

READ A SECOND TIME THIS 26<sup>TH</sup> DAY OF August, A.D. 2019.

READ A THIRD TIME AND FINALLY PASSED THIS 26<sup>TH</sup> DAY OF August A.D. 2019.

**Town of Picture Butte**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 885-19

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA,  
TO PROVIDE FOR THE LICENSING, CONTROL AND REGULATION OF DOGS

WHEREAS Section 7 of the *Municipal Government Act*, Being Chapter M26, Revised Statutes of Alberta, 2000 provides for the passing of bylaws to regulate and control dogs within the municipality;

AND WHEREAS Council for the Town of Picture Butte has deemed it advisable to pass a bylaw to regulate the registration and keeping of dogs and to promote the concept of responsible pet ownership.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

This bylaw shall be referred to as the “Dog Control Bylaw”.

**1. DEFINITIONS**

- 1.1. “Aggressive Dog” means any dog, whatever its age, whether on public or private property which has:
  - 1.1.1. caused the demise of a person; or
  - 1.1.2. without provocation caused the demise of a domestic animal while off the property of the property owner; or
  - 1.1.3. Without provocation, chased, injured or bit a person or any other domestic animal; or
  - 1.1.4. Without provocation, threatened or created the reasonable apprehension of a threat to a person or to any other domestic animal; or
  - 1.1.5. Without provocation, damaged or destroyed any public or private property; or
  - 1.1.6. Which represents a continuing threat of serious harm to persons or animals.
- 1.2. “Animal Services Centre” means the Town facility established for the holding of impounded animals as set out in this bylaw
- 1.3. “Altered” means spayed, neutered or otherwise incapable of reproduction as certified by a qualified professional.
- 1.4. “Approved Foster Organisation” shall mean an organisation that rescues and fosters dogs and has been approved in writing for the purposes of this bylaw by a Town representative, and whose approved status has not been revoked by a Town representative.
- 1.5. “Assistance Dogs” are highly trained professional dogs that have received a Service Dog Identification Card from the Alberta government and work in partnership with disabled persons to increase the independence, safety and mobility of the human partner. These include guide and service dogs.
- 1.6. “Bylaw Enforcement Officer” means a person appointed by the Town pursuant to provisions of Section 555 of the Municipal Government Act, R. S. A. (2000), Chapter M-26.
- 1.7. “Chief Administrative Officer” or “CAO” means the Town’s Chief Administrative



- Officer for the Town of Picture Butte as appointed by Town Council and includes any Persons authorized by him/her or the Town Council to act for or carry out the duties of the CAO to the extent that authorization is given.
- 1.8. "Council" shall mean the Municipal Council duly assembled and acting as such for the Town of Picture Butte.
- 1.9. "Dog" shall mean either the male or female of the canine family.
- 1.10. "Dog Fanciers Licence" shall mean a dog licence issued annually to an owner permitting the keeping or harbouring, on land or premises occupied by the owner of up to four (4) licenced dogs over the age of six months.
- 1.11. "Foster Home" shall mean the dwelling unit of an individual who has received a Foster Dog Licence from the Town and has been approved in writing by an Approved Foster Organisation to foster dogs on a temporary basis until a permanent owner can be found.
- 1.12. "Foster Dog Licence" shall mean a dog licence issued annually to an owner permitting the keeping or harbouring, on land or premises occupied by the owner of up to four (4) licenced dogs over the age of six months
- 1.13. "Fostering Dog Owner" shall mean the individual who has been approved, in writing, by an Approved Foster Organisation and has received a Foster Dog Licence from the Town to foster dogs in a Foster Home and who owns, keeps, possesses, harbours or acts as a guardian of the dog on a temporary basis until a permanent owner can be found. The Fostering Dog Owner shall be considered the owner of the dog under this bylaw while the dog is under their care.
- 1.14. "Leash" means a chain or other material capable of restraining a dog it is utilised for.
- 1.15. "Marked for Identification" means the placement of a traceable microchip or a discernable tattoo upon a dog.
- 1.16. "Owner" means any person who owns a dog or who has charge, care, custody, or control of, or has a right to control a dog for thirty (30) or more consecutive days, except a veterinarian caring for a dog in the regular practice of veterinary medicine.
- 1.17. "Parkland" means all recreational land areas owned or controlled by the Town and lying within the Town limits.
- 1.18. "Provincial Court" means the Provincial Court of Alberta
- 1.19. "Running at Large" means a dog which is not under control of a person by means of a leash and is actually upon property other than the property in respect of which the owner of the dog has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestle, sidewalk (including the boulevard portion of the sidewalk) park or other place.
- 1.20. "Tag" means a device as approved by the CAO, or designate, and issued by the Town, showing that a licence fee has been paid for a dog.
- 1.21. "Ticket" means any ticket which is authorized by the Municipal Government Act, R. S. A. (2000), Chapter M-26 or under the Provincial Offences Procedure Act, R.S. A. (2000), Chapter P-34, issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
- 1.22. "Town" means the corporation of the Town of Picture Butte as established under the Municipal Government Act or, if the context requires, the geographical area within the boundaries of the Town of Picture Butte
- 1.23. "Unsuitable Pet Owner" means a person who appears to be impaired, abusive or unable to provide the proper care and sustenance to an animal.



## 2. RESPONSIBILITIES OF OWNERS

- 2.1. Except as provided in Subsection 2.1.2. the owner of a dog shall not permit such dog to run at large.
  - 2.1.1. Where a dog is found Running at Large the owner thereof shall be deemed to have failed or refused to comply with the requirements of Subsection 2.1.
  - 2.1.2. The Town may designate areas where dogs are permitted to run when off leash, and may designate areas where organized and controlled canine events may be held causing signs to be posted in such areas indicating such designation.
- 2.2. The owner of a dog shall ensure that such dog shall not:
  - 2.2.1. bite a person or persons;
  - 2.2.2. do any other act that injures a person;
  - 2.2.3. chase or otherwise threaten a person whether on the property of the owner or not, unless the person chased or threatened is an intruder on the property of the owner;
  - 2.2.4. bite, or chase other animals, livestock, bicycles, automobiles, wildlife or other vehicles;
  - 2.2.5. bark and or howl excessively or unnecessarily, or otherwise creates a disturbance;
  - 2.2.6. cause damage to property or other animals;
  - 2.2.7. upset waste receptacles, scattering the contents in or about the streets, lanes or other public property or in or about a premise not belonging to the owner of the dog.
- 2.3. The owner of a dog which is in or on the rear/back of a vehicle while moving or parked must insure that:
  - 2.3.1. the dog is secured so as to insure the dog is unable to fall out of or leave the vehicle;
  - 2.3.2. the dog is secured so as to be unable to reach any of the sides or rear of the vehicle to prevent the dog from disturbing people adjacent or in close proximity to the vehicle.
- 2.4. It is an offence to stage a dog-fighting exhibition or to train and keep dogs for the purpose of staging a dog-fighting exhibition.
- 2.5. Any owner whose dog defecates on any public or private property other than the property of its owner shall remove forthwith any defecated matter deposited.
  - 2.5.1. A registered owner and or tenant shall not allow the accumulation of dog defecates on their property to become injurious or dangerous to the public health, or that might hinder in any manner the prevention or suppression of disease.
  - 2.5.2. A blind owner of a registered dog guide, or a blind person being assisted by a registered dog guide is not subject to the obligations imposed in Subsection 2.5.
- 2.6. Every owner of a female dog shall confine and house such female dog during the period the dog is in heat.
- 2.7. Any person leaving a dog unattended in a motor vehicle must ensure suitable conditions are provided that do not endanger the life of the dog including: appropriate ventilation, water, and or heat.
- 2.8. No dog shall be permitted in the following areas:
  - 2.8.1. Cor Van Raay and Community Aquatic Centre
  - 2.8.2. Town of Picture Butte Community Centre
  - 2.8.3. Picture Butte Municipal Library
  - 2.8.4. North County Recreation Complex



- 2.8.5. Baseball diamonds located at the Harry Watson Memorial Park
- 2.9. Section 2.8 shall not apply to Assistance Dogs.

### **3. ANIMALS SUSPECTED OF HAVING COMMUNICABLE DISEASES**

- 3.1. The owner of a dog which is suffering from any communicable disease shall not permit the dog to be in any public place, and shall not keep the dog in contact with or in proximity of any other dog free of such disease.
- 3.2. Any person who owns or who harbours, maintains or keeps a dog which they know or has reason to know, is or may be suffering from rabies, or which they know or believes has been exposed to rabies:
- 3.2.1. shall keep the dog locked or tied up;
- 3.2.2. shall not permit another dog to come in contact with it;
- 3.2.3. shall immediately report the matter to the Alberta Health Services Environmental Public Health officer, the Federal District Veterinarian and the Bylaw Enforcement Officer.

### **4. AGGRESSIVE DOGS**

- 4.1. A Bylaw Enforcement Officer may declare a dog to be an aggressive dog and shall do so by delivering a notice to the owner of the dog.
- 4.2. A dog that has been declared an aggressive dog may be seized and impounded until a Bylaw Enforcement Officer deems the dog may be returned to the owner or until the Aggressive Dogs Committee instructs that the dog shall be returned to the owner with or without conditions.
- 4.3. When a dog is declared an aggressive dog by a Bylaw Enforcement Officer a notice must be sent to the owner within three days. The notice may impose the following conditions regarding an aggressive dog:
- 4.3.1. That the dog will be euthanized.
- 4.3.2. That the dog may be returned to the owner conditional upon adherence to any or all of the following requirements:
- 4.3.2.1. The payment of an annual aggressive dog licence fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council is received by the Town;
- 4.3.2.2. That the dog be confined indoors and under the control of the owner;
- 4.3.2.3. That when the dog is outdoors it is locked in an approved locked pen, dog run or other structure constructed to prevent the escape of the aggressive dog and capable of preventing entry by any person not in control of the dog;
- 4.3.2.4. That the dog undergo a rehabilitation program;
- 4.3.2.5. That, at all times, when off the property of the owner, such dog is muzzled;
- 4.3.2.6. That, at all times, when off the property of the owner, such dog is harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents it from chasing, injuring or biting other domestic animals or humans as well as preventing damage to public or private property, and that the dog is under the control of a person over the age of eighteen (18) years.
- 4.4. The owner of a dog who has received a notice under Subsection 4.3 may object to the determination that the dog is an Aggressive Dog by delivering a written notice of objection addressed to the Chief Administrative Officer at the Town of Picture Butte – 120 4<sup>th</sup> Street, P.O. Box 1098 Picture Butte, AB. T0K 1V0. The notice shall be accompanied by a deposit as outlined in the Services, Fees,

*AW*  
*no*

- Rates and Charges Bylaw that will be returned to the owner if an appeal is successful in reversing the declaration that the dog is an Aggressive Dog.
- 4.5. The objection shall be heard by the Aggressive Dog Appeal Committee, providing the owner has deposited, concurrently with the notice of objection, the required deposit.

## **5. AGGRESSIVE DOG APPEAL COMMITTEE**

- 5.1. The Aggressive Dog Appeal Committee shall be Council.
- 5.2. The Aggressive Dog Committee may do any of the following after hearing the objection:
- 5.2.1. reverse an euthanasia order
  - 5.2.2. vary the conditions imposed by the Bylaw Enforcement Officer
  - 5.2.3. declare the dog not to be an aggressive dog and release the dog to the owner without any conditions
  - 5.2.4. uphold the Bylaw Enforcement Officers' order in respect of the dog
- 5.3. The owner of a dog declared to be an aggressive dog shall:
- 5.3.1. within five (5) business days after the dog has been declared aggressive have a licenced veterinarian tattoo or implant an electronic identification microchip in the animal and provide a copy of the information contained thereon to the Town prior to a licence being issued.
  - 5.3.2. be over the age eighteen (18) years
  - 5.3.3. obtain an aggressive dog licence within five (5) business days after the dog has been declared as aggressive; or
  - 5.3.4. obtain the annual licence for the aggressive dog on such day specified by the Town every year;
  - 5.3.5. notify the Town should the dog be sold, gifted, die or be transferred to another person;
  - 5.3.6. remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Town;
  - 5.3.7. notify the Town if the dog is running at large
- 5.4. Where a licence required pursuant to this Section has been paid for by the tender of an uncertified cheque, the licence:
- 5.4.1. is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the licence; and
  - 5.4.2. is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

## **LICENSING REQUIREMENTS**

### **6. DOG LICENSING**

- 6.1. The owner of a dog shall apply to the Town for an annual licence for such dog, and shall pay therefore an annual fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council. On payment of the licence fee the Town shall issue a tag with respect to that dog.
- 6.2. The owner of every dog shall obtain a licence for such dog, the first day on which the Town office is open for business after they become the owner of the dog, or the dog has attained the age of six (6) months and thereafter annually on the second day of January.
- 6.3. An owner shall ensure that any tag issued by the Town, as evidence of a Dog Licence, is attached to a collar worn by the dog whenever the dog is off the premises ordinarily occupied by the owner.
- 6.4. Subsection 6.3 does not apply when that dog has been marked for identification.
- 6.5. The fees payable for a Licence are pursuant to the Services, Fees, Rates and

Charges Bylaw as passed by Council. The fees are payable at the time of application or renewal and are non-refundable unless Council determines that a full or partial refund is appropriate.

- 6.6. The Town shall not issue any licence for a dog alleged to be altered, marked for identification, or both, without proof in a form satisfactory to the Town that the dog has been so altered or marked for identification.
- 6.7. Every Licence expires on the 2<sup>nd</sup> of January of every year.
- 6.8. In case a Tag is lost or destroyed, a replacement tag may be issued by the Town upon presentation by the owner of a receipt showing payment of the licence fee for the current dog licence year and upon payment pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council for the issuance of a replacement tag.
- 6.9. Tags are not transferable from one dog to another and no refund shall be made on any subsisting dog licence fee because of the death, loss or sale of the dog or upon the owner's leaving the Town before expiration of the licence period.
  - 6.9.1. A Fostering Dog Owner may transfer Tags, which are purchased, according to Section 6.1, for any dog that is being fostered.
- 6.10. In any prosecution or proceeding for a contravention of this section the burden of proof relating to the age of the dog shall be upon the owner and unless the contrary is proven the dog shall be presumed to have attained the age of six (6) months of age.
- 6.11. The full amount of the licence fee shall be payable for any dog older than six (6) months of age.
  - 6.11.1. Harboursing under 6 months referred to pups that are born to a currently licensed dog at that household.
- 6.12. The maximum number of dogs in a single-family dwelling or household shall be restricted to three (3) dogs over the age of six months except in the case where an owner is in receipt of a Dog Fancier's Licence or a Fostering Dog Licence.

## **7. FOSTERING DOG LICENCE**

- 7.1. Any person requesting a Fostering Dog Licence shall submit an application to the Town.
  - 7.1.1. All applications shall disclose:
    - 7.1.1.1. location for licence
    - 7.1.1.2. type of facilities
    - 7.1.1.3. consent of adjacent landowners
    - 7.1.1.4. approval in writing from an Approved Foster Organisation
    - 7.1.1.5. how many dogs they currently own and are licensed by the Town.
- 7.2. A Fostering Dog Licence shall not be issued without a Bylaw Enforcement Officer first inspecting the proposed location.
- 7.3. A Fostering Dog Licence shall not be issued if in the opinion of the Bylaw Enforcement Officer, the site or conditions are unsuitable.
- 7.4. Any person may appeal the decision of the Bylaw Enforcement Officer to the CAO, provided such appeal is submitted in writing within fourteen (14) days of the date of the Bylaw Enforcement Officers' decision.
- 7.5. Any approved licence shall be issued upon the payment of the fee as specified in the Services, Fees, Rates and Charges Bylaw passed by Council. Each dog owned under a Fostering Dog Licence shall have a Tag showing that it is a dog being fostered.
- 7.6. A Bylaw Enforcement Officer may remove the Fostering Dog Licence upon receipt of bona fide complaints from two (2) or more neighbours residing within sixty (60) meters of the residence of the licensee.

## **8. DOG FANCIER'S LICENCE**

- 8.1. Any person requesting a Dog Fancier's Licence shall submit an application to the Town.
  - 8.1.1. All applications shall disclose:
    - 8.1.1.1. location for licence
    - 8.1.1.2. purpose
    - 8.1.1.3. breed and sex of dogs
    - 8.1.1.4. type of facilities
    - 8.1.1.5. consent of adjacent landowners
- 8.2. A Dog Fancier's Licence shall not be issued without a Bylaw Enforcement Officer first inspecting the proposed location.
- 8.3. A Dog Fancier's Licence shall not be issued if in the opinion of the Bylaw Enforcement Officer, the site or conditions are unsuitable.
- 8.4. Any person may appeal the decision of the Bylaw Enforcement Officer to the CAO, provided such appeal is submitted in writing within fourteen (14) days of the date of the Bylaw Enforcement Officers' decision.
- 8.5. Any approved licence shall be issued upon the payment of the fee as specified in the Services, Fees, Rates and Charges Bylaw passed by Council. Each dog owned under a Dog Fancier's Licence shall be licenced.
- 8.6. A Bylaw Enforcement Officer may remove the Dog Fancier's Licence upon receipt of bona fide complaints from two (2) or more neighbours residing within sixty (60) meters of the residence of the licensee.

## **ANIMAL CONTROL OPERATIONS**

### **9. SEIZURE**

- 9.1. A Bylaw Enforcement Officer or Peace Officer may capture and impound any dog which is:
  - 9.1.1. actually or apparently over the age of six (6) months and for which no current licence has been issued pursuant to the provisions of this Bylaw when such a dog is off the premises of its owner;
  - 9.1.2. running at large;
  - 9.1.3. named or described or otherwise designated in a complaint made pursuant to the Dangerous Dogs Act;
  - 9.1.4. named or described or otherwise designated in a complaint alleging the dog to be aggressive;
  - 9.1.5. chasing, worrying or annoying any wildlife, livestock or domestic animal on property other than that belonging to the owner of the dog;
  - 9.1.6. a public nuisance, including but not limited to barking, howling excessively or unnecessarily, or otherwise creating a disturbance whether the dog is on the property of the owner or not;
  - 9.1.7. is required to be impounded pursuant to the provisions of any Statute of Canada or of the Province of Alberta or any regulation made thereunder;
  - 9.1.8. is considered to have their life in danger due to conditions the dog may be experiencing .
- 9.2. In the enforcement of this bylaw the Bylaw Enforcement Officer or Peace Officer may, after giving reasonable notice to the owner or occupier of land to be entered to carry out the inspection, remedy, enforcement or action, enter any privately owned land at any reasonable time, provided however, that in this section the word "premises" does not include a building and provided the provisions of

Section 542 of the Municipal Government Act, R.S. A. (2000) Chapter M-26 are complied with.

9.3. No person shall:

- 9.3.1. interfere with or attempt to obstruct a Bylaw Enforcement Officer or Peace Officer who is attempting to capture, or who has captured any dog in accordance with the provisions of this bylaw;
- 9.3.2. induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture;
- 9.3.3. falsely represent themselves as being in charge or control of a dog so as to establish that the dog is restrained as the term is defined by this bylaw;
- 9.3.4. unlock or unlatch or otherwise open the vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape therefrom;
- 9.3.5. remove or attempt to remove any dog from the possession of the Bylaw Enforcement Officer or Peace Officer;
- 9.3.6. untie, loosen or otherwise free a dog which has been tied or otherwise restrained;
- 9.3.7. negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the Town.

## 10. IMPOUNDED DOGS

- 10.1. If a Bylaw Enforcement Officer knows or can ascertain the name of the owner of any impounded dog he or she shall serve the owner with a copy of the Notice in Schedule "A" of this Bylaw, either personally or by leaving it, at the last known address of the owner.
- 10.2. The owner of any impounded dog or aggressive dog that is being released with conditions may reclaim the dog or aggressive dog from the Animal Services Centre by paying to the Town the costs of impoundment pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council, and by obtaining the licence for such dog or aggressive dog should a licence be required under this Bylaw.
- 10.3. Where a dog is claimed, the owner shall provide proof of ownership of the dog.
- 10.4. The owner of a dog who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by him or her for reclaiming his or her dog.
- 10.5. The Town shall not sell, donate or euthanise an impounded dog until the following conditions are met:
  - 10.5.1. After a dog is retained in the Animal Services Centre for:
    - 10.5.1.1. five (5) business days after the owner has received notice or is deemed by Section 10.1 to have received notice that the dog is in the Animal Services Centre, or
    - 10.5.1.2. five (5) business days, if the name and address of the owner is not known, or unless a person having the authority orders the retention or the euthanising of the dog, or unless the owner of the dog makes arrangements with the Town for the further retention of the animal the Town may cause the dog to be sold, donated or euthanised.
  - 10.5.2. Notwithstanding Subsection 10.5 the Town may:
    - 10.5.2.1. retain a dog for a longer period; or
    - 10.5.2.2. euthanise a dog after a shorter period if humane purposes warrant.

  
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- 10.6. The Town may offer for sale or donate all unclaimed dogs which have been in the Animal Services Centre for:
- 10.6.1. Five (5) business days or longer after the owner has received notice or is deemed by Subsection 10.1 to have received notice when the name and address of the owner are known; and
- 10.6.2. Three (3) business days or longer if the name and address of the owner is not known.
- 10.7. No impounded dog shall be sold or donated by the Town to any individual or group that is not considered an Approved Foster Organisation.
- 10.8. When the Town decides to euthanise a dog the owner shall pay to the Town a fee pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council.

## OFFENCES AND PENALTIES

### 11. VIOLATION TICKETS

- 11.1. Where any Bylaw Enforcement Officer or Peace Officer believes that any person has committed a breach of any provision of this bylaw they may serve upon such persons a ticket or may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R. S. A. 2000, Chapter P-34.
- 11.2. A notice or ticket shall be deemed to have been sufficiently served;
- 11.2.1. if served personally on the accused; or
- 11.2.2. if served by registered mail; or
- 11.2.3. if left at the accused usual place of abode with a person who appears to be at least eighteen (18) years of age; or
- 11.2.4. where the accused is an association partnership, corporation or registered kennel, if served by registered mail or if left with a person who appears to be at least eighteen (18) years of age and who is an employee or officer of the association, partnership, corporation or registered kennel
- 11.3. Upon production of any such notice or ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified in the Services, Fees, Rates and Charges Bylaw as passed by Council, to a person authorized by the Town to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this Section, such payment shall be accepted in lieu of prosecution.
- 11.4. If the person upon whom any such notice or ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
- 11.5. Nothing in this section shall:
- 11.5.1. prevent any person from exercising their right to defend any charge of committing a breach or this Bylaw
- 11.5.2. prevent any person from laying an Information and Complaint against any other persons for committing a breach of any of the provisions of this Bylaw
- 11.5.3. prevent any Bylaw Enforcement Officer or Peace Officer from laying an Information and Complaint against any other person or owner for an alleged breach of this bylaw whether or not such other person or owner has made a payment under this Bylaw
- 11.6. Where any person has made a payment to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.
- 11.7. Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has contravened any provision of this Bylaw, they may commence proceedings

*(Signature)*  
*mw*



- by issuing summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R.S. A. 2000, Chapter P-34.
- 11.8. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount pursuant to the Services, Fees, Rates and Charges Bylaw as passed by Council in respect of that provision.
- 11.9. Notwithstanding Subsection 10.8:
- 11.9.1. where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in the Services, Fees, Rates and Charges Bylaw in respect of that provision, and
- 11.9.2. where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in the Services, Fees, Rates and Charges Bylaw, in respect of that provision.
- 11.10. 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 he is liable under the provisions of this Bylaw.

## 12. VIOLATION PENALTIES

- 12.1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- 12.2. The minimum fines on summary conviction in respect to a contravention of this Bylaw with respect to aggressive dogs shall be the same amounts as shown in the Services, Fees, Rates and Charges Bylaw regarding Section 2.2.1.
- 12.3. 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 they are liable under the provisions of this Bylaw.

## 13. LEGALITIES

- 13.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Council that if any provisions of this Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

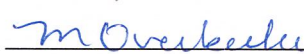
## 14. REPEAL, AMENDMENT AND EFFECTIVE DATE

- 14.1. Bylaw No. 650-87, 690-92 and amendments thereto are hereby repealed.
- 14.2. This Bylaw shall take full force and effect upon the date of the passing of the third and final reading.

READ A FIRST TIME THIS 9 DAY OF DECEMBER, A.D. 2019.  
READ A SECOND TIME THIS 13 DAY OF JANUARY, A.D. 2020.  
READ A THIRD TIME THIS 13 DAY OF JANUARY, A.D. 2020.

TOWN OF PICTURE BUTTE

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO



### SCHEDULE "A"

You are hereby notified that a dog bearing identification showing your name and address, was impounded on \_\_\_\_\_, A. D. \_\_\_\_\_ pursuant to the provisions of Bylaw No. 885-19 of the Town, and that, unless the said dog is claimed and all impoundment charges are paid, on or before \_\_\_\_\_ A. D. \_\_\_\_\_, the said dog will be sold or euthanised pursuant to the said Bylaw.

Om  
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SCHEDULE "B"

AFFIDAVIT OF NON-RESIDENT

CANADA	}	I, _____
	}	
PROVINCE OF ALBERTA	}	of the _____ of
	}	_____
	}	
TO WIT:	}	in the Province of Alberta,
	}	_____
	}	(Occupation)

MAKE OATH AND SAY:

- 1. THAT I am not a resident of the Town of Picture Butte.
- 2. THAT I reside at:

\_\_\_\_\_

(mailing address)

SWORN AT _____ of _____	}
	}
In the Province of Alberta, this _____	}
	}
day of _____	}
	}
	}
A. D. _____, BEFORE ME	}
	}
	}

\_\_\_\_\_  
A COMMISSIONER FOR OATHS IN AND  
FOR THE PROVINCE OF ALBERTA

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**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 888-19**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$35,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$35,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
6. This Bylaw comes into force October 15<sup>th</sup>, 2019 and rescinds Bylaw 876-18.

ICW CW

MOVED by Councillor Parworth to approve FIRST reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

MOVED by Councillor Feist to approve SECOND reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

MOVED by Councillor de Kok that permission be granted to move to THIRD AND FINAL reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019  
CARRIED UNANIMOUSLY

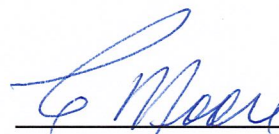
MOVED by Deputy Mayor Watson to approve THIRD AND FINAL reading of Bylaw #888-19 this 15<sup>th</sup> day of October, 2019.  
CARRIED

### Certificate

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 15<sup>th</sup> day of October, 2019 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 15<sup>th</sup> day of October, 2019.

Seal



Cathy Moore  
Chief Elected Official



Keith Davis  
Chief Administrative Officer

## TOWN OF PICTURE BUTTE

### BYLAW NO. 889-19

WHEREAS, the Council of the Town of Picture Butte is responsible for the direction and control of its emergency response and is required, under the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of November 19, 2018), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

AND WHEREAS, it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said *Emergency Management Act* and pursuant to the requirements of the *Local Authority Emergency Management Regulation*; and

AND WHEREAS, the Town of Picture Butte has prepared a Municipal Emergency Management Plan which will be regularly reviewed, revised, and approved when necessary;

NOW, THEREFORE, the Council of the Town of Picture Butte, duly assembled, hereby enacts:

#### CITATION

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.

#### PURPOSE

2. The purposes of this Bylaw are:
  - a) To provide for the direction and control of the Town's emergency responses, and the preparation and approval of the Municipal Emergency Management Plan and related plans and programs,
  - b) To establish and appoint an emergency advisory committee and provide for the payment of expenses of the emergency advisory committee, and
  - c) To establish an emergency management agency to act as Council's agent in exercising Council's powers and duties under the *Emergency Management Act*,

#### DEFINITIONS

3. In this Bylaw,
  - a) "Act" means the *Emergency Management Act*, Chapter E-6.8, Revised Statutes of Alberta 2000
  - b) "Agency" means the Picture Butte Emergency Management Agency appointed under this Bylaw
  - c) "Chief Administrative Officer" means the Chief Administrative Officer of the Town as defined by the Municipal Government Act, RSA 2000 Chapter M-26
  - d) "Council" means the duly assembled Council of the Town of Picture Butte

- e) "Committee" means the Picture Butte Emergency Advisory Committee established under this Bylaw
- f) "Director" means the person appointed as Director of Emergency Management under this Bylaw;
- g) "Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property or the environment;
- h) "Emergency Advisory Committee" means the committee established under this Bylaw;
- i) "Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
- j) "Minister" means the Minister charged with administration of the Act;
- k) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
- l) "Municipal Emergency Plan" means the emergency plan prepared by the Town to co-ordinate response to an emergency or disaster.
- m) "State of Local Emergency" or "SOLE" means a state of local emergency declared in accordance with the Act and this Bylaw.
- n) "Town" means the municipal corporation of the Town of Picture Butte and/or the area within its geographic boundaries

## EMERGENCY ADVISORY COMMITTEE

### Establishment

4. There is hereby established the Picture Butte Emergency Advisory Committee.

### Membership, Quorum and Meetings

5. The Committee shall consist of:
  - a) the Mayor;
  - b) the Deputy Mayor;
  - c) the Chief Administrative Officer;
  - d) the Director of Emergency Services;
  - e) the Director of Operations;
  - f) the Fire Chief or designate; and
  - g) one public member-at-large
6. The public member-at-large will serve a one-year term established at the annual organizational meeting of Council.
7. Quorum of the Committee shall be established with the majority of quorum members in attendance.
8. The Chair of the Committee shall be the Mayor or in their absence the Deputy Mayor.
9. The Committee will meet at least once annually.
10. The Committee may meet from time to time at the request of the Mayor or Director.



11. All members of the Committee will be entitled to the payment of reasonable expenses in accordance with Council policy.

#### Functions and Duties

12. The Committee will:
- a) Provide guidance and direction to the Agency;
  - b) Advise Council on the development and status of emergency plans and programs;
  - c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Picture Butte;
  - d) approve the Town of Picture Butte's emergency plans and programs; and
  - e) review the status of the Municipal Emergency Management Program and related plans and programs.
  - f) Perform any other functions and duties as required by this bylaw.
  - g) During an Emergency or Disaster, the Committee shall:
    - i) Receive updates regarding the Emergency or Disaster from the Agency;
    - ii) Perform any additional powers or duties as described in the Act that have been assigned to it by Council;

#### STATE OF LOCAL EMERGENCY

##### Declaration of a State of Local Emergency

13. The power to declare or cancel a SOLE, in the Town, in accordance with the Act is hereby delegated to the Mayor.
- a) In the absence of the Mayor the power to declare a SOLE is delegated to any member of Council in the following hierarchy:
    - i) Deputy Mayor
    - ii) Any member of Council
14. When a SOLE is declared, the person making the declaration shall:
- a) ensure that the declaration identifies the nature of the emergency and the area of the Town in which it exists;
  - b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
  - c) forward a copy of the declaration to the Minister forthwith.
15. Upon declaration of a SOLE and for the duration of the SOLE, the Director, may, in accordance with Section 24 of the Act, exercise and perform all of the powers and duties given to a local authority by the Act.
16. A declaration of a SOLE is considered terminated and ceases to be of any force or effect when:
- a) a resolution is passed under Section 12;
  - b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;

- c) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
  - d) the Minister cancels the state of local emergency.
17. When a declaration of a SOLE has been terminated, the local authority who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

## EMERGENCY MANAGEMENT AGENCY

### Establishment

18. There is hereby established the Picture Butte Municipal Emergency Management Agency.

### Membership and Participation

19. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- a) the Director;
  - b) The Chief Administrative Officer;
  - c) The Deputy Fire Chief or designate;
  - d) Picture Butte Emergency Medical Services representative;
  - e) the Director of Operations;
  - f) the Director of Corporate Services;
  - g) The RCMP detachment commander or designate;
  - h) the Social Services Manager or designate.

### Functions and Duties

20. The Agency will:
- a) be responsible for the administration of the Town's emergency management program;
  - b) act as an agent of Council to carry out all of the powers and duties of Council under the Act, except for the powers and duties delegated by this Bylaw to the Committee;
  - c) provide advice to the Committee as required;
  - d) review all emergency management plans and programs for the Town on an annual basis;
  - e) report to the Committee on all Agency activities and provide an update in the review on the plans on an annual basis;
  - f) use a command, control, and coordination system as prescribed by the Managing Director of the Alberta Emergency Management Agency;
  - g) cause the municipal emergency management plan and programs to be activated when required and;
  - h) perform any other functions and duties as required by this Bylaw or Council.

## DIRECTOR OF EMERGENCY MANAGEMENT

21. The Director of Emergency Services for the Town shall be the Director of Emergency Management.
  - a) The Chief Administrative Officer for the Town shall be one of the Deputy Directors of Emergency Management.
  - b) Additional Deputy Directors of Emergency Management shall be appointed as necessary by the Director.
22. The Director of Emergency Management shall:
  - a) be the chair of the Agency;
  - b) prepare and co-ordinate the Municipal Emergency Management Program and related plans for the Town of Picture Butte;
  - c) act as the Incident Commander, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
  - d) authorize and co-ordinate all emergency services and other resources required during an emergency.
  - e) Perform any other functions and duties as prescribed by Council

## GENERAL PROVISIONS

23. Unless otherwise noted, the Town's Procedural Bylaw, as amended or replaced, shall apply to all meetings of the Committee. If there is any conflict between a provision of the Procedural Bylaw or this bylaw, the bylaw will prevail.
24. Bylaw No. 840-15 Municipal Emergency Management Bylaw is hereby rescinded.
25. This Bylaw comes into force on the day it is passed.

Read a first time this 16<sup>th</sup> day of December, A.D. 2019.

Read a second time this 16<sup>th</sup> day of December, A.D., 2019.

Read a third time and finally passed this 16<sup>th</sup> day of December, A.D., 2019.

**TOWN OF PICTURE BUTTE**

---

**Mayor**

---

**Chief Administrative Officer**

**TOWN OF PICTURE BUTTE**

**BYLAW NO. 890-20**

A BYLAW OF THE TOWN OF PICTURE BUTTE to rescind the attached bylaw, Bylaw number 874-18.

WHEREAS Council passed a motion at their Regular Council Meeting held on December 16, 2019, directing Administration to draft a rescinding bylaw for Bylaw number 874-18;

NOW THEREFORE, pursuant to Section 63(2) (a) of the Municipal Government Act of Alberta, Chapter M-26, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

**CITATION**

1. This bylaw may be cited as the Rescinding Bylaw for Bylaw No. 874-18.

**PURPOSE**

2. This bylaw rescinds Bylaw No. 874-18 Maple Estate Bylaw.

**GENERAL PROVISIONS**

3. This Bylaw shall come into effect on the final day of passing thereof.

Read a first time this 13<sup>th</sup> day of January, 2020.

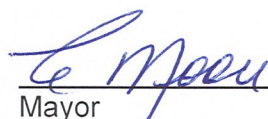
CARRIED

Read a second time this 10<sup>th</sup> day of February, 2020.

CARRIED

Read a third time and finally passed this 10<sup>th</sup> day of February, 2020.

CARRIED

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 891-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE DESIGNATED OFFICER POSITION OF ASSESSOR

WHEREAS, Parts 9 through 12 of the Municipal Government Act, R.S.A. 2000, c. M-26, outline the duties and responsibilities of an assessor;

AND WHEREAS provisions of the Qualifications of Assessor Regulation, AR 233/2005, require that an assessor meet certain minimum qualifications;

AND WHEREAS Section 210 of the Municipal Government Act provides that a municipality may create a designated officer position to carry out certain duties and responsibilities;

AND WHEREAS Section 284 of the Municipal Government Act requires that an assessor be appointed as a designated officer;

NOW THEREFORE, the Council of the Town of Picture Butte, in the province of Alberta, duly assembled, hereby enacts as follows:

This bylaw may be cited as the "Assessor Bylaw".

1. DEFINITIONS

In this bylaw, words shall have the same meanings as in the Municipal Government Act except as otherwise defined below:

- 1.1. "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
- 1.2. "Assessor" means the person appointed as assessor of the Town of Picture Butte;
- 1.3. "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Picture Butte;
- 1.4. "Council" means the municipal council of the Town of Picture Butte.
- 1.5. "Municipality" means the municipal corporation of the Town of Picture Butte.

2. APPOINTMENT AND DELEGATION

- 2.1. The position of designated officer for the purpose of assessment and taxation is established, and the individual appointed to that position will have the title "Assessor".
- 2.2. The Chief Administrative Officer will appoint a qualified individual to the position of Assessor and establish the terms and conditions of such appointment.
- 2.3. The Assessor is authorised to further delegate, and to authorize further delegations of any powers, duties, and functions delegated to him/her under this or any other bylaw or resolution, to any employee of the Municipality.

3. GENERAL POWERS

- 3.1. The Assessor will exercise the powers, duties and functions as delegated by this bylaw and in accordance with Parts 9,10,11 and 12 of the Act and any regulations.
- 3.2. This bylaw does not limit or restrict any other delegations to the Assessor by Council or the Chief Administrative Officer.

4. AUTHORITY AND RESPONSIBILITIES

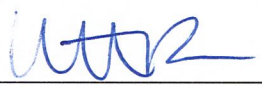
- 4.1. The Assessor is accountable to the Chief Administrative Officer for the exercise of all powers, duties and functions delegated to the Assessor.

- 4.2. The Assessor may:
- 4.2.1. Appoint an acting Assessor to act during absences of the Assessor;
  - 4.2.2. Establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the Assessor;
  - 4.2.3. Advise, inform and make recommendations to Council about Council policies, procedures, and programs as may be necessary or desirable to carry out the Assessor's powers, duties and functions; and
  - 4.2.4. Prepare and submit to Council such reports and recommendations as may be required by Council.
- 4.3. The Assessor shall:
- 4.3.1. Prepare assessments, assessment rolls, assessment notices and tax rolls for the purposes of the Act;
  - 4.3.2. Prepare supplementary assessments, supplementary assessment rolls, supplementary assessment notices and supplementary tax rolls for the purposes of the Act;
  - 4.3.3. Carry out the duties and responsibilities of an assessor under the Act.
5. REPEAL, AMENDMENT AND EFFECTIVE DATE
- 5.1. Bylaw No. 877-19 – Assessor Bylaw and amendments thereto are hereby repealed.
  - 5.2. This bylaw shall take full force and effect upon the date of the passing of third and final reading.

READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A SECOND TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A THIRD TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Cathy Moore  
Mayor

  
\_\_\_\_\_  
Keith Davis  
CAO



TOWN OF PICTURE BUTTE  
BYLAW NO. 893-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal  
Council must pass a bylaw to establish the position of Chief Administrative Officer.

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly  
assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Chief Administrative Officer Bylaw".

2. DEFINITIONS

- 2.1. "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;  
2.2. "Chief Administrative Officer" means the person appointed as the chief administrative  
officer of the Town of Picture Butte.  
2.3. "Council" means the municipal council of the Town of Picture Butte; and

3. APPOINTMENT AND DELEGATION

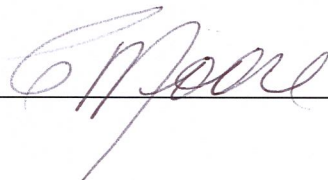
- 3.1. The position of Chief Administrative is established, and the individual appointed to that  
position will have the title "chief administrative officer".  
3.2. Council will by resolution appoint an individual to the position of Chief Administrative  
Officer.  
3.3. Council will establish the terms and conditions of the Chief Administrative Officer's  
employment.  
3.4. The position of Chief Administrative Officer has responsibilities, authority and duties  
pursuant to the following Sections of the Act:  
3.4.1. Section 69;  
3.4.2. Section 207;  
3.4.3. Section 208;  
3.4.4. Section 209; and  
3.4.5. Section 213.

4. COMING INTO EFFECT

- 4.1. Bylaw No. 769-00 Chief Administrative Officer is hereby rescinded when this bylaw shall  
come into force.  
4.2. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A SECOND TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.  
READ A THIRD TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, A.D. 2020.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO



TOWN OF PICTURE BUTTE  
BYLAW NO. 894-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE REPORTING REQUIREMENTS FOR DESIGNATED MANUFACTURED HOME COMMUNITIES.

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to pass bylaws respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment;

AND WHEREAS section 436.24(1) of the Municipal Government Act requires the owner of a manufactured home community to provide monthly reports to the chief administrative officer or a designated officer of the municipality reading the following:

- 1) the ownership of all designated manufactured homes in the manufactured home community, including the serial numbers of the designated manufactured homes; and
- 2) the movement of all designated manufactured homes in and out of the manufactured home community;

AND WHEREAS section 436.24(2) of the Municipal Government Act provides that a Municipal Council may pass a bylaw requiring the owner of the manufactured home community to provide the reports required under section 436.24(1) to the municipality on the dates specified by the municipality;

AND WHEREAS Council deems it unnecessary for the manufactured home community owner to provide monthly reports mentioned above;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Manufactured Home Community Reporting bylaw".

2. GENERAL PROVISIONS:

- 2.1. The owner of the manufactured home community must provide the Chief Administrative Officer, or their designate, a report:
  - 2.1.1. On or before the following calendar days:
    1. 1<sup>st</sup> March;
    2. 1<sup>st</sup> May;
    3. 1<sup>st</sup> December.
  - 2.1.2. Regarding:
    1. The ownership and owner's mailing address for each designated manufactured home in the manufactured home community;
    2. The manufactured home serial number, make, model and year of each designated manufactured home in the manufactured home community; and
  - 2.1.3. Whenever there is movement in and out of the manufactured home community or demolition of a designated manufactured home; and
  - 2.1.4. Whenever the ownership or owner's mailing address for a designated manufactured home changes.
- 2.2. Reports to be submitted under Sections 2.1.3. and 2.1.4. only need to include the information as outlined in Section 2.1.2. for the designated manufactured home(s) in question.

3. OFFENCES AND PENALTIES

- 3.1. Any person who is in contravention of Section 2.1. is guilty of an offence and is subject to a penalty as outlined in Schedule A.
  - 3.1.1. Any information required under Section 2.1.2. that is incorrect or missing constitutes a contravention to this bylaw.
- 3.2. The specified penalty for any person who contravenes the same provision of this bylaw two or more times, within one twelve month period, is outlined in Schedule A.
- 3.3. Any person that fails to pay the penalty, as outlined in Schedule A., within 31 days from the date of the invoice, will have the penalty charged against the premises or property as a special assessment to be recovered in the same manner as other taxes and in accordance with Sections 553, 553.1 or 553.2 of the Municipal Government Act.

*W. C. M.*

4. SEVERANCE

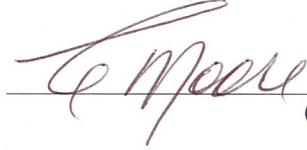
- 4.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.


5. COMING INTO EFFECT

- 5.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS 9<sup>th</sup> DAY OF MARCH, A.D. 2020.  
READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF MARCH, A.D. 2020.  
READ A THIRD TIME THIS 23<sup>rd</sup> DAY OF MARCH, A.D. 2020.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO



SCHEDULE A

SPECIFIED PENALTIES

Section	Violation	Penalty	Second and Subsequent Offence
2.1.1.	Failure to provide manufactured home community report by the deadline	\$250.00	\$500.00
2.1.2.	False, inaccurate or missing information	\$250.00	\$500.00

**TOWN OF PICTURE BUTTE**

**BYLAW # 895-20**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2020 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 27, 2020; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2020 total **\$4,482,527.92**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,120,022.92**, and the balance of **\$1,362,505.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
2019 Under Levy	\$ 15,750.00	
Residential / Farmland	\$ 335,389.54	
Non-Residential	<u>\$ 87,650.59</u>	\$ 438,790.13
Opted Out School Boards:		
2019 Under Levy	\$ 2,675.00	
Residential / Farmland	\$ 43,460.46	
Non-Residential	<u>\$ 31,699.41</u>	<u>\$ 77,834.87</u>
Total School Requisitions		\$ 516,625.00
Green Acres Foundation (Seniors Requisition)		\$ 26,500.00
Designated Industrial Property (DIP Requisition)		<u>\$ 167.92</u>
<b>Total Requisitions for 2020</b>		<b>\$ 543,292.92</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	<b>Assessment</b>
Residential / Farm Land – Public	\$ 135,092,500.00
Residential / Farm Land – Separate	\$ 17,749,510.00
Non-Residential / Linear – Public	\$ 25,182,630.00
Non-Residential / Linear – Separate	\$ 6,176,510.00
Machinery and Equipment – Public	\$ 1,521,914.00
Machinery and Equipment – Separate	<u>\$ 314,766.00</u>
<b>Total Assessment for 2020</b>	<b>\$ 186,037,830.00</b>

NOW THEREFORE under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,076,025.07	\$152,842,010.00	7.04010
Non-Residential and M&E	\$ 286,479.93	\$ 33,195,820.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 351,139.54	\$135,092,500.00	2.59925
Non-Residential	\$ 87,650.59	\$ 23,030,140.00	3.80591
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 46,135.46	\$ 17,749,510.00	2.59925
Non-Residential	\$ 31,699.41	\$ 8,329,000.00	3.80591
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 26,500.00	\$186,037,830.00	0.14244
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 167.92	\$ 2,209,440.00	0.07600
<b>GRAND TOTAL</b>	<b>\$ 1,905,797.92</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 27<sup>th</sup> day of April, 2020

Read a second time in Council assembled this 27<sup>th</sup> day of April, 2020

Council unanimously resolved to proceed to third reading this 27<sup>th</sup> day of April, 2020

Read a third time in Council assembled this 27<sup>th</sup> day of April, 2020

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 897-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 872-18 Utility Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 872-18 shall be amended as follows:
- 2.1.1. Schedule A: Water Rates:
1. Bulk Water Truck Fill: Water per cubic metre: Change from \$4.32 to "Same rate as Lethbridge County."
- 2.1.2. Schedule A: Water Rates:
1. Water Meters: Meter: Change from "Installation: \$550" to "Meter: Cost including shipping."
2. Add: "Meter Horn: Cost including shipping."
- 2.1.3. Schedule A: Waste Management Rates: Garbage Collection:
1. Change: Residential: \$19.00 to \$19.95 per month  
Multi-Unit Dwelling: \$13.75 to \$14.45  
Mobile Home Park: \$16.15 to \$17.00  
Commercial: \$25.50 to \$26.80  
Mixed Commercial/Residential: \$25.50 to \$26.80  
Institutional: \$104.25 to \$109.50

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020  
READ A SECOND TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020  
READ A THIRD TIME THIS THE 25<sup>th</sup> DAY OF MAY, A.D. 2020

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer



TOWN OF PICTURE BUTTE  
BYLAW NO. 899-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 851-16 Animal Regulations Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 851-16 shall be amended as follows:

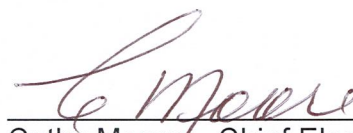
2.1.1. DELETE: "5 Any unpaid expenses and costs incurred by the Town may be added to the Tax Roll and collected in a like manner as municipal taxes."

ADD: "5 Any unpaid expenses and cost incurred by the Town will be added to the Tax Roll if they remain unpaid 90 days after the fine has been issued."

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A SECOND TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A THIRD TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020

  
Cathy Moore – Chief Elected Official

SEAL

  
Keith Davis - Chief Administrative Officer



TOWN OF PICTURE BUTTE  
BYLAW NO. 900-20

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 797-06 Unsightly Property and Ice and Snow removal from sidewalks Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 797-06 shall be amended as follows:

- 2.1.1. DELETE: "11 b) collect any unpaid costs or expenses incurred by the Town in accordance with the Act."

ADD: "11b) Council will add unpaid expenses and costs incurred by the Town for unsightly property to the tax roll if they remain unpaid 90 days after the invoice has been issued.

- 2.1.2. DELETE: "20. Council may add the unpaid expense and costs incurred by the Town for removing the snow and ice in respect of the parcel of land to the tax roll of the parcel of the land, in accordance with Section 553 (1) (g,1) of the Act.

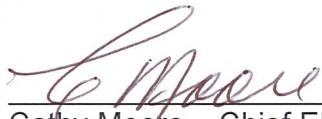
ADD: "20. Council will add unpaid expenses and costs incurred by the Town for removing the snow and ice in respect of the parcel of the land to the tax roll if they remain unpaid 90 days after the invoice has been issued."

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A SECOND TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020  
READ A THIRD TIME THIS THE 28<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2020

SEAL

  
Cathy Moore – Chief Elected Official

  
Keith Davis - Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 901-20**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to allow for and regulate fascia signs with electronic display in commercial and industrial land use districts, and expand the kinds of signs permitted under the category Type 1 to include fascia, projecting, portable and temporary signs.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. **The Land Use Bylaw is amended by deleting all references to wall signs.**
2. **Part 2, Land Use Districts, Map and Regulations, Residential – R1, Discretionary Uses, Type A, is amended by deleting the following text:**

Signs Type 2 fascia (in accordance with Part 5).

3. **Part 2, Land Use Districts, Map and Regulations, Manufactured Home – R2, Discretionary Uses, Type A, is amended by deleting the following text:**

Signs Type 2 fascia (in accordance with Part 5).

4. **Part 5, Sign Regulations, Section 1, Administration, subsection (3) is amended by adding or rewording the following underlined text:**

- Type 1 signs – A-board, directional, fascia, projecting (canopy, roof, overhanging, shingle), portable, electronic display or animated/changing copy, political/election, real estate, garage sale, sidewalk, temporary, window, exit/entrance signs.
- Type 2 signs – Balloon, freestanding, mural, all other not included as Type 1.

5. **Part 5, Sign Regulations, Section 3, Prohibited Signs, subsection (e), is amended by adding or rewording the following underlined text:**

(3) The following signs are prohibited:

- (e) any sign containing electronic display, animation, changeable content or movement shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or facility, school, or any level of government;

6. **Part 5, Sign Regulations, Section 4, Application Requirements, subsection (b), is amended by adding or rewording the following underlined text:**

(b) include a description of the proposal and a plan drawn to a suitable scale and photographs, if available, illustrating:

- (i) the location of all existing and proposed sign(s);
- (ii) the size, height, and other dimensions of the proposed sign(s), including any supporting structures and if the application is for a sign with Electronic Display the percentage of the façade that will be covered by the sign;
- (iii) the location of the property boundaries of the parcel upon which the proposed sign(s) are to be located;
- (iv) details with respect to sign content (i.e. wording/lettering, text, message, graphics, etc.);
- (v) the materials and finish proposed for the sign(s);
- (vi) type of electronic display, illumination, animation, and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval; and
- (vii) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.

7. **Part 5, Sign Regulations, Section 7, Off-Premises Signs, subsection (2), is amended by adding or rewording the following underlined text:**

(2) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Picture Butte or that are members of the Picture Butte and District Chamber of Commerce, charitable organizations or service clubs.

8. **Part 5, Sign Regulations, Section 13, Freestanding Signs, subsection (8), is amended by adding or rewording the following underlined text:**

(2) Billboards erected for the sole purpose of advertising off-premise businesses or products which are not associated with businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte or are members of the Picture Butte and District Chamber of Commerce, are not permitted.

9. **Part 5, Sign Regulations, Section 15, Digital/Animated/Changeable Content Signs is amended by adding or rewording the following underlined text:**

15. ELECTRONIC DISPLAY SIGNS

(1) No more than one digital sign may be permitted on a single parcel.

(2) Any sign containing Electronic Display shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or organization, school, or the municipality and complies with all other sign regulations.

(3) Electronic Display content shall only be allowed on fascia signs in compliance with this Bylaw.

- (4) The sign area of a sign with Electronic Display shall not exceed 10% of the size of the total building façade on which the sign will be installed, to a maximum of 4.6 m<sup>2</sup> (50 sq. ft.).
- (5) Signs with Electronic Display must not be on a building façade that directly faces a residential land use district.
- (6) Signs with Electronic Display may include on-premises advertising and/or off-premises advertising for businesses, charitable organizations or service clubs licensed to operate in the Town of Picture Butte or are members of the Picture Butte and District Chamber of Commerce only, in compliance with Section 7(2) of this Part 5 of this Bylaw.
- (7) Electronic Display content must remain in place unchanged for a minimum of 10.0 seconds before switching to new content.
- (8) The maximum transition time between each different Electronic Display on a sign is 0.25 seconds.
- (9) The transition between each Electronic Display must not involve any visible effects, including but not limited to action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (10) Electronic Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (11) A sign featuring Electronic Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic Display feature is functioning, as measured from the sign face at its maximum brightness:
- a) A maximum of 7,500 nits from sunrise to sunset, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
  - b) A maximum of 500 nits from sunset to sunrise, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada;
  - c) the light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.
- (12) If a Development Authority determines that the brightness or light level of an Electronic Display exceeds the limits set out in subsection (11) of this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.
- (13) If any component of an Electronic Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic Display is turned off until all components are fixed and operating in compliance.

(14) The Development Permit holder for a sign featuring an Electronic Display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.

(15) Any sign that is illuminated, animated, or a digital and electronic message board (changeable copy) located within 304.8 metres (1,000 ft.) of a provincial highway right-of-way or within 800 metres (2,625 ft.) of the centreline of a highway and a public road intersection must be approved by Alberta Transportation.

10. Part 5, Sign Regulations, Section 18, Definitions, is amended by adding the following, in alphabetical order:

**ELECTRONIC DISPLAY** means sign copy displayed using electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology. Electronic display signs are also commonly called digital signs.

11. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.

12. Final formatting and consolidation shall take place following the passage of the bylaw.

13. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 26<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 902-20

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE RULES GOVERNING THE PROCEEDINGS AND THE REGULAR BUSINESS OF COUNCIL AND COUNCIL MEETINGS

**WHEREAS** Section 145 (b) of the Municipal Government Act, RSA 2000, Chapter M-26, provides that Council shall by bylaw make rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees, and for the transaction of its business; and

**WHEREAS** the Municipal Government Act provides that Council may establish committees to consider matters referred to them by Council, may appoint the members of such committees and may require reports of the findings or recommendations of the committees;

**NOW THEREFORE**, the Council of the Town of Picture Butte enacts as follows:

From the date of the passing of this bylaw, the following rules and regulations only shall be observed for the order and dispatch of business in Council thereof and all Motions, rules or regulations existing and inconsistent with this bylaw are hereby repealed.

This bylaw shall not be repealed, amended or suspended, except so far as the terms hereof permit, unless it is repealed, amended or suspended:

- a. By a bylaw unanimously passed at a regular or special meeting of the Council at which all the members thereof are present, or
- b. By a bylaw passed at a regular meeting of Council, pursuant to a notice in writing given and openly announced at the next preceding meeting of the Council and setting out the terms or the substantial effect of the proposed bylaw.

## **1.0     SHORT TITLE**

1.1. This bylaw is called "**The Procedural Bylaw**".

## **2.0     DEFINITIONS**

2.1. In this bylaw:

1. "**Administration**" means the employees of the municipality.
2. "**Business Day**" means a day on which the municipal offices are open for business.
3. "**Chair**" means the Mayor, Deputy Mayor or presiding officer who presides over Council Meetings, Council Committee meetings or Committee of Council meetings.
4. "**CAO**" means the Chief Administrative Officer for the Municipality or his/her designate.
5. "**Chief Elected Official**" (CEO) means the Mayor;
6. "**Closed Session**" means the part of a meeting closed to the public or municipal employees by Motion of Council, for the purpose of discussing a matter within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
7. "**Committee of Council**" means a committee, board or other body established by Council
8. "**Committee of the Whole**" means a committee comprised of all Councillors which conducts itself as a Committee of Council, for the purpose of providing information to Council; functioning informally and allowing for freedom of debate but where decisions are referred to a Council Meeting.
9. "**Council**" means the duly elected Council of Picture Butte.
10. "**Council Committee**" is a Committee, Board, Commission, Authority or other body to which Council may appoint members.
11. "**Council Meeting**" means duly constituted regular or special open meetings of Council where bylaws and resolutions are formally ratified.

12. **“Councillor”** means a member of Council duly elected pursuant to the Local Authorities Election Act and continuing to hold office.
13. **“Delegation”** means any person that has permission of Council to appear before Council at a Council Meeting or a Committee of Council to provide information and views about a subject pertinent to Council
14. **“Deputy Mayor”** means the Councillor who is elected by Council pursuant to Section 152 of the Municipal Government Act, to act as Mayor in the absence or incapacity of the Mayor.
15. **“Emergent Items”** shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention.
16. **“Freedom of Information and Protection of Privacy Act”** or “FOIP” means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted therefore.
17. **“Municipal Government Act”** means the Municipal Government Act RSA 2000, chapter M-26 of the Statutes of Alberta as amended or legislation substituted therefore.
18. **“Motion”** means a standard terminology used by Council to describe the original statement whereby business is brought before a meeting, and may also mean resolutions.
19. **“Notice of Motion”** is the means by which a Member of Council brings business before Council.
20. **“Out of Order”** means to act outside the scope of this Procedural Bylaw in any Council Meeting or Committee of Council meeting
21. **“Organizational Meeting”** means a meeting held not later than two (2) weeks after the 3<sup>rd</sup> Monday in October for the purpose of:
  1. Taking the Oath of office after a general municipal election,
  2. Electing a Deputy Mayor annually
  3. Appointing members of Council and the public to Council Committees and Committees of Council as required
22. **“Peace Officer”** means a peace officer as defined by the Peace Officer Act, and for the purposes of this Bylaw shall also include a police officer as defined by the Police Act
23. **“Point of Order”** means a demand that the Chair enforce the rules of procedures.
24. **“Point of Privilege”** means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual Councillors and includes the
  1. Organization and existence of Council,
  2. Comfort of members,
  3. Conduct of employees or members of the public in attendance at the meeting.
25. **“Public Hearing”** is a meeting:
  1. To hear matters pursuant to the Municipal Government Act; or
  2. Other matters which Council directs be considered at a Public Hearing.
26. **“Quorum”** means the majority of all, or the majority of the remaining, Councillors that comprise the Council.
27. **“Special Council Meeting”** is a meeting held under the provisions of Section 194 of the Municipal Government Act.
28. **“Special Motion”** means a Motion or resolution passed by two-thirds majority of all Members.
29. **“Table”** means a Motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter.
30. **“Town”** means the Town of Picture Butte, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Town.



### **3.0 APPLICATION**

- 3.1. This bylaw shall be observed and shall be the rules and regulation for the order and conduct of business in all Council Meetings, Organizational Meetings, Special Council Meetings, Committee of the Whole meetings and all Committee of Council meetings.

### **4.0 STRUCTURE OF COUNCIL**

- 4.1. Town Council shall consist of five (5) elected officials
- 4.2. All Councillors shall be elected by a vote of the electors of the whole Town.
- 4.3. The Chief Elected Official shall be elected by a vote of the electors of the whole Town.
- 4.4. The Chief Elected Official of the Town shall be designated the title 'Mayor' and addressed as Mayor (last name).
- 4.5. The Deputy Mayor shall be addressed as Deputy Mayor (last name).
- 4.6. Councillors of the Town other than the Chief Elected Official, and the Deputy Mayor shall be addressed as Councillor (last name).
- 4.7. The Mayor shall preside when in attendance at a meeting of Council; however the Deputy Mayor shall preside over the Committee of the Whole.
- 4.8. The Mayor may, at the discretion of the Mayor, be a member of all Committees of Council and all bodies to which Council has the right to appoint members under the Municipal Government Act.
- 4.9. Seating of Councillors shall be as determined by the Mayor at the yearly Organizational Meeting.

### **5.0 COUNCIL CONDUCT**

#### **Rules of Order**

- 5.1. Any employee, or member of the public who refuses to leave Council chambers upon the order of the Mayor may be removed by a Peace Officer.
- 5.2. At no time is it intended that undue strictness of adherence to the rules of order intimidate members or limit full participation.
- 5.3. The first person to raise a hand and address the Chair when the person speaking has finished, and to be recognized by the Chair, has the floor. Speaking while another is still speaking is out of order, except to make a Point of Order or to make a Point of Privilege.
- 5.4. No member of Council shall have the power to direct or interfere with the performance of any work for the corporation, and the officer in charge shall be subject only to his superior officer, or in the case of the CAO who shall report to Council.
- 5.5. Anyone with a pecuniary interest as defined in Section 169 of the Municipal Government Act shall declare that interest, and shall not participate in any debate or decision concerning the matter. Such pecuniary interest shall be recorded in the minutes.

#### **Making Motions**

- 5.6. Debate begins when a member of Council states the Motion and asks for discussion on the Motion. If no one initiates discussion, the Chair calls for a vote.
- 5.7. The Chair will determine if a member can speak twice to the same issue prior to everyone who wishes to speak having the opportunity.
- 5.8. No member of Council shall normally speak more than three minutes on any Motion or amendment to a Motion.
- 5.9. Every Motion or resolution shall be stated or read by the mover.
- 5.10. After a Motion has been moved and has been stated or read, it shall be deemed to be in possession of Council, and may only be withdrawn by majority consent of the members of Council present and will not be recorded in the minutes.

- 5.11. All remarks must be directed to the Chair, and must be courteous.
- 5.12. The mover of a Motion may speak and vote for or against the Motion.
- 5.13. A Notice of Motion may be given (and shall be given verbally and in writing to all members present) at any Council Meeting, specifying the entire content of the Motion to be considered, but may not be dealt with at that Council Meeting.
- 5.14. A Motion made in the negative shall be ruled Out of Order.
- 5.15. The following Motions are not debatable by Council:
  1. Adjournment
  2. To take a recess
  3. Point of Privilege
  4. Point of Order
  5. To limit debate on a matter before Council
  6. To Table the matter

#### Voting on Motions

- 5.16. When debate on a Motion is closed, the Chair shall put the Motion to a vote, and this decision is final unless overruled by a majority vote of the members present at the meeting.
- 5.17. Once the Motion has been put to a vote, no member shall debate further on the Motion or speak any words except to request that the Motion be read aloud.
- 5.18. When a Motion is put to a vote, no member shall leave the Council chambers until the vote is taken.
- 5.19. Any bylaw or Motion upon which there is an equality of votes shall be deemed to be defeated.
- 5.20. The outcome of any vote on any matter shall be recorded in the meeting minutes.
- 5.21. Before a vote is taken by Council, a Councillor may request that the vote be recorded. When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained.
- 5.22. A Councillor attending a Council Meeting must vote on a matter put to a vote at the meeting unless the Councillor is required or permitted to abstain from voting under this or any other enactment, pursuant to sections 182 through 184 of the Municipal Government Act.
- 5.23. The CAO or designate shall record each abstention and the reasons for the abstention in the minutes of the meeting.

#### Calling a Councillor to Order

- 5.24. The Mayor may call to order any Councillor who is Out of Order.
- 5.25. When a Councillor has been called to order but persists in breaching the order of Council, the Mayor may name the Councillor and declare the offence.
- 5.26. The CAO shall note any offences in the minutes.
- 5.27. A Councillor who is called to order or named may immediately thereafter challenge the ruling of the Mayor and state the reasons according to this bylaw.
- 5.28. When there is a challenge to the ruling of the Mayor, all further debate shall cease until the challenge has been dealt with by Council.
- 5.29. If a Motion of Council supporting the Mayor's ruling passes, the Councillor shall abide by the motion of Council.

## 6.0 COUNCIL MEETINGS

### Agendas

- 6.1. The CAO or designate shall be responsible for preparing meeting agendas, including input from the Mayor, Administration, and previous meetings.
- 6.2. Meeting agendas shall be made available the Friday preceding the Council Meeting.
- 6.3. Only business listed in the agenda shall be undertaken at a meeting, unless a Motion to amend the agenda is passed.
- 6.4. Notwithstanding section 6.3, Council may, by a unanimous vote, allow those items which are deemed Emergent Items or requiring immediate attention.
- 6.5. The order of business for Regular Council Meetings shall be as follows:
  1. Call to Order
  2. Adoption of the Agenda
  3. Adoption of the Minutes
  4. Public Hearing
  5. Delegations
  6. Request for Decisions
  7. Mayor's Report
  8. Council's Report
  9. Administration's Report
  10. Correspondence
  11. Information Items
  12. Closed Session
  13. Adjournment

### Public Hearings

- 6.6. A Public Hearing must be held when required by the Municipal Government Act.
- 6.7. Public Hearings, when required, shall be held
  1. before second reading of the bylaw, or
  2. before Council votes on the Motion.
- 6.8. The format for a public hearing shall be:
  1. State the purpose of the Public Hearing,
  2. Ask for those present in favour to speak to the matter,
  3. Ask for any written comments in favour,
  4. Ask for those present who are opposed to speak to the matter,
  5. Ask for any written comments opposed,
  6. Close the Public Hearing.
- 6.9. All those who wish to speak to a matter (in favour or opposed) may only speak once and shall be limited to five (5) minutes.

### Delegations

- 6.10. Delegations may appear before Council at a regular Council Meeting to present issues of concern.
- 6.11. Delegations wishing to appear before Council must advise the CAO, or designate, in writing no later than noon on the Friday prior to the meeting.
- 6.12. Delegations must provide a copy of their presentation related to the issue or concern at the time of submission for the agenda and only speak to the matter in question.
- 6.13. Any person or Delegation addressing Council shall state name(s), address(es) and the purpose of the meeting.
- 6.14. Delegations will be limited to a ten (10) minute presentation to Council.
- 6.15. Any questions or clarifications which individual Councillors may have from the Delegation should be requested through the Chair.
- 6.16. Delegations shall not address Council on the same subject matter more than once every six (6) months. At Council's discretion, Council may request an individual or group come before Council as a Delegation at any time.

- 6.17. Once Council has approved a Motion, the CAO or designate will provide a written response to the Delegation.

#### Letters and Petitions

- 6.18. Notwithstanding the provisions of the Municipal Government Act respecting petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, petition, or other communication shall be addressed to the Mayor or Town Council. Such letter, petition or other communication shall:
1. Be printed, typewritten or legibly written;
  2. Clearly define the matter at issue which you would like Council to consider to resolve.
  3. Indicate if you wish to meet with Council as a Delegation.
  4. In the case of a letter or communication:
    1. Be signed with the correct name of the writer, and
    2. contain the correct mailing address of the writer
  5. In the case of a petition:
    1. Be signed by at least 10% of the population
    2. Meet all legislative requirements of Sec. 220-226 of the Municipal Government Act.
  6. Be delivered or mailed to the office of the Chief Administrative Officer so it arrives no later than noon on the Friday before the Regular Council Meeting at which it is to be presented.
- 6.19. Where a matter has been considered by Council and dealt with in any final form, no letter, petition, Delegation or other communication on substantively the same matter shall be considered by Council until there has been a lapse of at least six (6) months from the date Council previously disposed of the matter.
- 6.20. Notwithstanding section 6.29, Council, by approving a Special Motion, may again consider a matter at a time earlier than six (6) months.

#### In Camera Closed Session

- 6.21. All agenda items or reasons for going into a Closed Session must meet the criteria established within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
- 6.22. In accordance with the Municipal Government Act and Section 153 and the Freedom of Information and Protection of Privacy Act, all members of Council are required to keep in confidence all matters discussed in a Closed Session until the item is discussed at a meeting held in public.
- 6.23. A Motion is required to go in a Closed Session and leave a Closed Session as part of a Council Meeting, and the times the meeting is closed and is open are recorded in the minutes.
- 6.24. Council shall not pass resolutions or Motions during a Closed session except to open the meeting to the public again.

#### Council Meeting Schedule

- 6.25. Regular Council Meetings shall be held as follows:
1. Council shall hold Council Meetings in Council Chambers on the second and fourth Monday of each month at 6:30 pm and adjourn no later than 10 pm.
  2. Council may extend the meeting beyond 10 pm by approving a Special Motion.
  3. The Committee of the Whole shall be held in Council Chambers on the third Monday of each month at 6:30 pm and adjourn no later than 10 pm.
  4. In the event of a Regular Council Meeting or Committee of the Whole falling on a day that is not a Business Day, the meeting shall be held the following Business Day.

5. All meetings of Council are open to the public except for any In Camera portion of the meeting.
6. All Council Meetings and Committees of Council meetings shall be held in accordance with the provisions of the Municipal Government Act.

## 7.0 OTHER MEETINGS OF COUNCIL

### Organizational Meeting

- 7.1. The Chief Administrative Officer shall fix the time and place for the Organizational Meeting as per Section 192(1) of the Municipal Government Act, with the business of the Meeting being limited to:
  1. The administration of the "Oath of Office" and the introduction of new Members, should the Meeting follow the general municipal election.
  2. Appoint a member of Council as Deputy Mayor by means of a secret ballot.
  3. The appointment of members of Council to act on committees, commissions, boards and other bodies on which Council is entitled to representation; and,
  4. Any such other business as required under the Municipal Government Act.
- 7.2. When Council has been elected at a general municipal election immediately preceding the meeting, the Chief Administrative Officer shall:
  1. Take the Chair;
  2. Call the Meeting to order;
  3. Preside over the Meeting until the oath prescribed by the Oaths of Office Act has been administered to the Mayor.
- 7.3. When the Meeting is not preceded by an election, the Mayor shall take the Chair and call the Meeting to order.
- 7.4. All appointments of Councillors to act on Committees of Council and Council Committees shall be done only by Motion at the organizational meeting or by Special Motion at any other Council Meeting.
- 7.5. The following are committees on which the Town has an obligation for representation, through legislation or legal agreement:

<b>Committee of the Whole</b>	All members of Council
<b>Municipal Planning Commission</b>	2 members of Council and 3 members at large
<b>The Town of Picture Butte Municipal Library Board</b>	1 member of Council and 7 members at large
<b>Chinook Arch Regional Library Board</b>	1 member of Council
<b>Community Futures Lethbridge Region Board</b>	1 member of Council
<b>Oldman River Regional Services Commission Board</b>	1 member of Council
<b>Barons-Eureka-Warner Family &amp; Community Support Services Board</b>	1 member of Council on odd numbered years.
<b>Lethbridge Regional Waste Management Services Commission</b>	2 members of Council
<b>Subdivision &amp; Development Appeal Board</b>	1 member of Council
<b>Oldman River Regional Services Commission Assessment Review Board</b>	1 member of Council as required by ORRSC
<b>Regional Bylaw Services Committee</b>	1 member of Council

- 7.6. Council may wish to consider additional Council Committees or Committees of Council where representation of Council would promote the welfare or interests of the municipality.

### Committee of the Whole

- 7.7. Whenever Council sits as Committee of the Whole, the Deputy Mayor shall be the Chair and maintain order in the Committee of the Whole.
- 7.8. The rules of order for the conduct of a Meeting of Council shall apply to a meeting of the Committee of the Whole, except:

1. No Motions or resolutions shall be accepted by the Chair, other than close or leave a Closed Session, and
2. Any member of Council may speak more than once to any discussion.

#### Special Council Meetings

- 7.9. Subject to the Conditions of Section 194 of the Municipal Government Act, the Chief Elected Official
  1. may call a Special Council Meeting whenever the official considers it appropriate to do so, and
  2. must call a Special Council Meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the Councillors.

#### Councillor Honorariums

- 7.10. Councillors are eligible to receive monthly honorariums as per rates established in the Town's Honorarium Policy. Regular Council Meetings, Organizational Meetings, Committee of the Whole meetings and public hearings which are a part of regular Council Meetings are considered part of a Councillor's regular responsibilities included in the monthly honorarium.
- 7.11. Councillors shall receive remuneration in the form of a per diem, as per rates established in the Town's Honorarium Policy, for attending special council meetings, public hearings which are not part of regular Council Meetings, Council Committee meetings, meetings of a Committee of Council other than the Committee of the Whole that they have been appointed to by Council, and any other event that a Councillor has been granted permission, in the form of a Council motion, to attend.
- 7.12. If a Councillor receives an honorarium or other compensation from an external organization, an honorarium or per diem shall not be paid by the Town.

### 8.0 MEETING NOTIFICATION

- 8.1. Notice of regularly scheduled meetings need not be given.
- 8.2. If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change
  1. to any Councillors not present at the meeting which the change was made, and
  2. to the public.
- 8.3. Notice to the public shall be deemed given by posting to the public bulletin board outside Council Chambers and on the Town website.
- 8.4. Council shall ensure all notification requirements of a Special Council Meeting meet the requirements of Section 194 of the Municipal Government Act.

### 9.0 MINUTES

- 9.1. Minutes of all proceedings of Council Meetings and Special Council Meetings shall be recorded in accordance with section 208 the Municipal Government Act.
- 9.2. At every regular Council Meeting, minutes of the previous Council Meeting and any Special Council Meeting held more than 48 hours prior to the current meeting shall be considered for adoption.
- 9.3. Minutes shall include Motions to adjourn the meeting.
- 9.4. For the purposes of Council Meeting minutes, members of Council shall be limited to reporting on special council meetings, public hearings which are not part of regular council meetings, Council Committee meetings, meetings of a Committee of Council that they have been appointed to by Council, and any other event that a Councillor has been granted permission, in the form of a

Council motion, to attend. Members of Council may report on other Town events that they deem to be pertinent to Town Council, but they shall not be recorded in the minutes.

#### **10.0 BYLAWS RESOLUTIONS AND POLICIES**

- 10.1. Bylaws shall be presented and passed according to Part 2, Division 1 of the Municipal Government Act.
- 10.2. Any revisions or consolidations of bylaws shall be in accordance with Part 3, Division 7 of the Municipal Government Act.
- 10.3. Policies shall be presented for discussion, and passed by majority, and shall come into effect as soon as they are passed unless they contain a deferred implementation.

#### **11.0 QUORUM**

- 11.1. If there is not a sufficient number of Councillors assembled within one half (1/2) hour following the scheduled commencement time of any meeting to constitute a Quorum pursuant to Section 167 of the Municipal Government Act, the Chief Administrative Officer shall record the names of all the members of Council present at that time and Council shall be deemed to be adjourned until the next regular Council Meeting.
- 11.2. When Council is unable to meet for want of a Quorum, the agenda delivered for the proposed meeting shall be considered at the next Council Meeting, or alternatively at a Special Meeting called for that purpose.

#### **12.0 MEETING THROUGH ELECTRONIC COMMUNICATIONS**

- 12.1. Subject to Section 199 of the Municipal Government Act, a Council meeting or Council Committee meeting may be conducted by means of electronic or other communication facilities if:
  - 1. Notice is given to the public of the meeting, including the way in which it is to be conducted,
  - 2. The facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place, and
  - 3. The facilities enable all the meeting's participants to watch or hear each other.
- 12.2. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

#### **13.0 COUNCIL'S USE OF TOWN SUPPLIES**

- 13.1. No member of Council is permitted to use Town supplies or use equipment and/or facilities unless the Councillor has first been empowered to do so by Bylaw or Motion of Council.

#### **14.0 SIGNING AUTHORITY**

- 14.1. The Mayor and Chief Administrative Officer, and if one or both of them is absent, the Deputy Mayor or any Councillor and the Director of Corporate Services, shall countersign all cheques.

#### **15.0 SEVERABILITY**

- 15.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.



**16.0 REPEAL**

16.1. Bylaw 855-16 of the Town of Picture Butte and any amendments are hereby repealed.



**17.0 COMING INTO FORCE**

17.1. This bylaw shall come into full force and effect upon the final reading and signing thereof.

INTRODUCED AND GIVEN FIRST READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

GIVEN SECOND READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

GIVEN THIRD AND FINAL READING THIS 26<sup>TH</sup> DAY OF OCTOBER, 2020.

  
\_\_\_\_\_  
Cathy Moore, Mayor  
\_\_\_\_\_  
Keith Davis, CAO

**Town of Picture Butte**

**Bylaw 904-20**

**Fire Protection**

Town of Picture Butte

Bylaw 904-20

**A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FIRE PROTECTION AND FIRE PREVENTION IN AND FOR THE TOWN OF PICTURE BUTTE;**

**WHEREAS** the Municipal Government Act RSA, 2000, c. M-26, s. 7(a) provides that a Council of a Municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property;

**WHEREAS** the Municipal Council of the Town of Picture Butte wishes to establish a bylaw for the purpose of fire protection and fire prevention within the Town of Picture Butte;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

**SECTION 1 TITLE OF BYLAW**

- 1.1 This Bylaw may be cited as *the “Town of Picture Butte Fire Protection Bylaw”*

**SECTION 2 DEFINITIONS**

- 2.1 In this bylaw;

- a. “Apparatus” shall mean any vehicle provided with machinery, devices, equipment or materials for fighting fires, as well as vehicles used to transport firefighters or supplies.
- b. “Chief Administrative Officer” shall mean any person appointed as Chief Administrative Officer for the Town of Picture Butte pursuant to the Municipal Government Act, RSA 2000, c. M-26
- c. “Town” shall mean the Town of Picture Butte
- d. “Council” shall mean the Municipal Council of the Town of Picture Butte
- e. “Dangerous Goods” shall mean a product, substance, or organism included by its nature or by the regulations in any of the classes listed in the *Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4*.
- f. “Emergency” shall mean a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property or the environment.
- g. “Emergency Medical Services” shall mean the provision of pre-hospital emergency medical care including first-medical response by fire department units and transport of patients by ambulance units in accordance with the contract from Alberta Health Services.
- h. “Enforcement Officer” shall mean a Peace Officer or a person appointed by the Chief Administrative Officer to enforce the provisions of this Bylaw.
- i. “Equipment” shall mean any tools, contrivances, devices or materials used by the Fire Department to mitigate an incident or other emergency.
- j. “False Alarm” means any notification to Picture Butte Emergency Services respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or property, where no such condition, circumstance or event exists and the alarm was initiated due to negligence or delinquent action.
- k. “Fire Chief” shall mean the person appointed as manager under the provisions of this Bylaw, or designated delegate and who performs the duties and responsibilities as assigned by this Bylaw.
- l. “Fire Department” shall mean the Picture Butte Emergency Services established under this Bylaw.

- m. "First Responder" shall mean those persons who in the course of their normal duties may be the first on the scene of an incident and are trained to recognize that a hazard exists, call for trained personnel and secure the area.
- n. "Fire Protection" shall mean all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, rescue, pre-fire planning, fire investigation, public education and information, training or other staff development and advertising.
- o. "Fireworks" shall mean the fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 as outlined in Section 14 of the Explosive Regulations (Canada), C.R.C., C.599
- p. "Illegal Fire" shall mean any fire that is set in contravention of this Bylaw.
- q. "Incident" shall mean a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.
- r. "Inspection Officer" shall mean the Fire Chief, Enforcement Officer or any Member with the required certification and directed to undertake inspections.
- s. "Member" shall mean any person appointed as a member of the Picture Butte Emergency Services under this Bylaw.
- t. "Member in Charge" shall mean the Member in command of an Incident.
- u. "Municipal Government Act" shall mean the *Municipal Government Act, RSA 2000, c. M-26* and any amendments thereto.
- v. "Municipal Ticket" means a form, marked as Schedule "C" and attached hereto and forming part of this bylaw, allowing for voluntary payment to the Town for a fine amount established by this bylaw.
- w. "Mutual Aid Agreement" shall mean an agreement between the Town and other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment.
- x. "Non-Emergent Service" shall mean any requested service provided by the Fire Department where no Emergency or False Alarm exists.
- y. "Officer" shall mean a Member appointed by the Fire Chief or Designate to supervisory position within the Fire Department.
- z. "Open Fires" shall mean any Fire which is not contained within a Fire Pit, an outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment, and includes but is not limited to the following:
  - i. Fire for the burning of weeds, grass, leaves, brush or any other plant matter.
  - ii. Fire related to recreational uses in an area that has not been designated for recreational fire by the Town; and
  - iii. Any fire set for the purpose of thawing frozen ground.
- aa. "Property" shall mean any real or personal property, including but not limited to land and structures.
- bb. "Qualified Personnel" shall mean a person in possession of a Fireworks Supervisor Card issued pursuant to the Explosives Act (Canada), R.S.C., 1985, c. E-17 and the Fire Code Regulation (Alberta) A/R 118/2007.
- cc. "Safety Codes Act" shall mean the *Safety Codes Act, RSA 2000, c. S-1* and any amendments thereto.
- dd. "Safety Codes Officer" shall mean an individual designated as a Safety Codes Officer in accordance with the *Safety Codes Act, RSA 2000, c. S-1* with designation-of-powers for the accredited municipality.
- ee. "Security Alarm" shall mean an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act or both.

- ff. “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act, R.S.A 2000, c. P-34*.

### **SECTION 3 ESTABLISHMENT OF FIRE DEPARTMENT**

- 3.1 Council hereby establishes Picture Butte Emergency Services with such facilities and equipment deemed by Council to be adequate for the following:
- a. preventing and extinguishing fires;
  - b. investigating the cause of fires;
  - c. preserving life and property and protecting persons and property from injury or destruction of fire
  - d. preserving life and property, and protecting persons and the environment from injury or destruction by Dangerous Goods, or Industrial incidents;
  - e. providing rescue services
  - f. providing emergency medical services
  - g. preventing, combating and controlling incidents;
  - h. carrying out fire inspections and prevention patrols; and
  - i. entering into agreements with other municipalities or persons for the joint use, control and management of fire and rescue services.

### **SECTION 4 JURISDICTION**

- 4.1 The limits of the jurisdiction of the Fire Department, the Fire Chief and Members shall extend to the area and boundaries of the Town of Picture Butte and those service areas established by Town Council or by agreement.
- 4.2 No apparatus or equipment shall be used beyond the limits of the Town of Picture Butte without the express authorization provided within a Mutual Aid Agreement, fire services agreement, external contract, or direct consent from the Fire Chief.

### **SECTION 5 FIRE CHIEF**

- 5.1 The Chief Administrative Officer shall appoint the Director of Emergency Services. The Director of Emergency Services shall hold the rank and title of Fire Chief.
- 5.2 The Fire Chief shall be responsible to the Chief Administrative Officer or designate.
- 5.3 The Fire Chief may appoint Officers as he or she deems required for the operation of the fire department and subject to the fire department’s approved organization chart and operating budget. Officers shall be supervised by the Fire Chief or designate.
- 5.4 The Fire Chief may appoint additional Members to the Fire Department as he or she deems required for the proper and efficient operation of the Fire Department. These Members shall be supervised by the Fire Chief or designate and other Officers in accordance with the Fire Department’s organizational chart.
- 5.5 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Chief Administrative Officer or designate, and in particular, may carry out all Fire Protection activities and such other activities as directed in the approved annual budget included but not limited to:
- a. rescue;
  - b. emergency medical services, including ambulance services;
  - c. pre-fire planning including permit review and building familiarization;
  - d. prevention and public awareness events; and
  - e. fire inspections.
- 5.6 Subject to the ratification by Council, the Fire Chief may establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including, but not limited to:
- a. use, care and protection of Fire Department Property;

- b. training, conduct and discipline of Members and Officers; and
  - c. efficient operations of the Fire Department.
- 5.7 The Fire Chief or designate, or in his absence, Member in Charge, shall have control, direction and management of any Fire Department apparatus, equipment or human resources assigned to an incident; where as a Member in Charge, shall continue to act until relieved by a Member authorized to do so.
- 5.8 The Fire Chief or the Member in Charge, who is at the site of an incident or other emergency, may at his or her discretion:
- a. order persons in a building to vacate the building and not re-enter the building unless authorized by the Fire Chief or the Member in Charge;
  - b. establish a perimeter around the site and prevent persons from entering the perimeter;
  - c. request enforcement officers assistance to prevent persons from entering building or establish a perimeter;
  - d. cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other building, structures or property; and
  - e. cause any Member, fire apparatus, or equipment to enter on any Property, including adjacent Property to combat, control or deal with the Incident.

## **SECTION 6 POWERS OF MEMBERS**

- 6.1 Each person duly appointed by the Fire Chief is a Member of the Fire Department by virtue of his or her appointment.
- 6.2 Every Member shall have the authority and power to:
- a. extinguish or control any Fire;
  - b. perform the operations necessary to preserve life and property;
  - c. enter onto any Property for the purpose described in clauses (a) or (b); and;
  - d. regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in clauses (a) or (b);
- 6.3 The Fire Chief, or his designate shall have the authority to:
- a. compel any able bodied, adult persons who are not Members to assist in extinguishing fires and to assist in the prevention and spread thereof;
  - b. enter into a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident;
  - c. without a warrant, enter onto any land or premises, except a building used as a dwelling, for the purpose of discharging duties under this Bylaw;
  - d. without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the Fire or to prevent the spread thereof;
  - e. without a warrant, enter any private dwelling to rescue an individual whose life is in imminent danger;
  - f. direct the operations necessary to extinguish or control the Fire, or to preserve life and Property; and
  - g. regulate the conduct of the public in an around the vicinity of any place where a Member is performing the activities necessary to extinguish or control the fire or to preserve life or Property.

## **SECTION 7 FIRE HYDRANTS**

- 7.1 No person, other than Members or employees of the Town, shall, without prior approval from the Fire Chief, affix any tool, hose or other device to any fire hydrant or fire hydrant valve.

- 7.2 No person shall, without prior approval from the Fire Chief, paint any fire hydrant, or any portion thereof.
- 7.3 Any fire hydrant taken out-of-service for any reason shall be communicated to both the Town and the Fire Chief, and any records of maintenance and testing shall be shared between the Town and Fire Department.

## **SECTION 8 CONTROL OF FIRE HAZARDS**

- 8.1 In accordance with the Safety Codes Act, accredited Safety Codes Officers with designation-of-powers from the municipality shall be given access at reasonable hours to both public and private property for the purpose of investigating an unsafe condition, accident or fire to determine its cause and make recommendations related to safety.
- 8.2 If, in the opinion of an Inspection Officer there exists a fire hazard on land within the Town, whether private or public, the Inspection Officer may order the owner or person in control of the said land to reduce or remove the hazard within the time and in the manner prescribed by the Inspection Officer.
- 8.3 In the event of non-compliance with an order made pursuant to Section 8.2, the Inspection Officer may enter onto the land with any equipment and human resources necessary to eliminate or reduce the fire hazard.
- 8.4 The owner or person in control of the land on which work was performed pursuant to section 8.3 shall, upon receipt of written demand by the Town, reimburse the Town for the cost of the work performed.
- 8.5 If payment is not received within 30 days of the issuance of the demand pursuant to section 8.4, the Town shall add the cost of the work performed to the tax roll of the said land, and cause a corresponding lien to be registered against the land at the Land Titles Office.

## **SECTION 9 REQUIREMENTS TO REPORT**

- 9.1 The owner or authorized agent of any property damaged by the fire shall immediately report to the Fire Department particulars about the fire which is satisfactory to the Fire Chief and failure to do so is an offence.
- 9.2 The owner or authorized agent of any property containing dangerous goods shall immediately report to the Fire Department the particulars regarding any accidental or unauthorized release of such dangerous goods and failure to do so is an offence.
- 9.3 Any person who has spilled or released any dangerous good shall immediately report particulars of such spill or release to the Fire Department and failure to do so is an offence.

## **SECTION 10 OPEN FIRES**

- 10.1 No person shall cause an open fire in an open area to be ignited or allow an open fire to continue burning in an open area within the Town.
- 10.2 Any person who fails to comply with any of the provisions of subsection 10.1 herein is guilty of an offence.
- 10.3 Subsection 10.1 shall not apply to fires set by the Fire Department for training purposes or as a backfire
- 10.4 Any member, Peace Officer or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure that the Member may deem appropriate or necessary to extinguish an illegal fire.
- 10.5 The costs of controlling or extinguishing any illegal fire shall be recovered from the person causing the illegal fire under the provisions of the Municipal Government Act.

## **SECTION 11 RESPONDING TO FALSE ALARMS**

- 11.1 The Town may charge a fee for an emergency service provided by the Fire Department that responds to a False Alarm, as set out in the Town's Schedule of Fees, where such emergency service responds to:



- a. more than one False Alarm at the same building within the same calendar year;
  - b. more than one False Alarm from the same alarm system within the same calendar year;
  - c. more than one False Alarm from the same parcel of land within the same calendar year where there is more than one building on that parcel of land.
- 11.2 Where the Fire Department responds to any alarm that is the result of a Security Alarm being routed to the Fire Department the Town may charge a fee for an emergency service as set out in the Town's Schedule of Fees.
- 11.3 Where the Fire Department responds to an alarm as set out in subsection 11.2 and the Business Owner, Property Owner, or Property Manager does not provide access to the interior of the building within 15 minutes of the arrival of the Fire Department, the Town may charge, in addition to the False Alarm fee set out in Schedule "A", a standby fee as set out in the Town's Schedule of Fees until access is provided to the interior of the building.
- 11.4 Where a Business Owner, Property Owner or Property Manager has installed a lock-box, he/she shall immediately notify the Fire Chief of such lock box and provide a key or code if required.
- 11.5 If a Business Owner, Property Owner or Property Manager has installed a lock-box in an accessible location at the building and if that lock-box contains current keys or codes to provide access to the building, a person or key holder does not have to be present to satisfy the access requirements as set out in subsection 11.3.
- 11.5 If the Fire Department is dispatched to respond to an alarm, but is notified that the alarm is a False Alarm before a vehicle leaves a fire station, and if, as a consequence, only one vehicle responds to the False Alarm to re-set that alarm system, the fee set out in the Town's Schedule of Fees for that response shall be reduced by 50%. The 50% fine reduction shall apply to fire alarms and not to a Security Alarm routed to the Fire Department.
- 11.6 The fees provided for in this section shall be charged to a Property Owner. Failure to pay such fees identified in section 11 shall result in such fees being applied to the appropriate tax roll.

## **SECTION 12 CONTRACTS & AGREEMENTS**

- 12.1 The Town may, by Council approval:
- a. enter into a written contract providing the supply of Fire Protection services outside the municipal boundaries of the Town with another municipality;
  - b. enter into mutual aid agreements with other surrounding municipalities;
  - c. upon request, supply Fire Protection services outside the municipal boundaries of the Town.

## **SECTION 13 FIRE PITS, OUTDOOR FIREPLACES, and STATIONARY & PORTABLE BARBEQUES**

- 13.1 For the enjoyment of dwelling residents use of fire pits, outdoor fireplaces and stationary barbeques may be permitted.
- 13.2 The use of fire pits, outdoor fireplaces and stationary barbeques may be restricted or prohibited during a fire ban.
- 13.3 Fire pits, outdoor fireplaces and stationary barbeques that burn combustible material shall:
- a. be located in a rear yard with a minimum of 2.5 meters (8 feet) clearance from buildings, property lines and combustible materials, or as approved by the Fire Chief;
  - b. be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components.

- c. have a spark arrestor mesh screen of 1.30 centimeters (0.50 inches) expand metal (or equivalent) to contain sparks over the fire at all times;
  - d. be the sole responsibility of the owner or tenant of the property;
  - e. be supervised at all times by a responsible adult person over the age of eighteen (18) until such time as the fire has been completely extinguished. For the purpose of this clause, a fire shall be deemed to include any hot ashes and smoldering embers resulting from the fire;
  - f. only burn wood, charcoal briquettes, propane or natural gas; and
  - g. have flames no higher than ninety (90) cm or three (3 feet) above the fire pit or barbeque fire box.
- 13.4 During a fire ban, the only fires permitted shall be in portable barbeques which burn propane or natural gas.
- 13.5 Except during a fire ban, fires are permitted within Town owned outdoor fireplaces and fire pits located within public areas.
- 13.6 Any person that fails to comply with any of the provisions of Section 13 herein is guilty of an offence.

#### **SECTION 14 FIREWORKS**

- 14.1 Subject to the exceptions set out in the following, no person shall discharge any fireworks within the corporate limits of the Town.
- 14.2 The Fire Department may permit qualified personnel to ignite fireworks and conduct fireworks displays upon receiving and approving a completed Display Fireworks Application, as found in Schedule "B" of this Bylaw. The application shall comply with the requirements of Section 3.7 of the *Display Fireworks Manual, 2010* from Natural Resources Canada. The Fire Chief may impose, at the sole discretion of the Fire Chief, such conditions and restrictions on their use and display as may be appropriate. Such conditions and restrictions might address:
- a. hours of the day;
  - b. days of the week;
  - c. height of display and type of fireworks used;
  - d. geographic location requirements for notification of affected residents; and
  - e. safety.
- 14.3 All fireworks shall be stored, used and ignited in accordance with the provisions of the Explosives Act (Canada) R.S.C., 1985, c. E-17, Alberta Safety Code RSA, 2000, Chapter S-1, and the current Alberta Fire Code and their regulations and in accordance with those conditions determined solely by the Town.
- 14.4 Retail locations offering the sale of consumer fireworks will be subject to annual fire inspections.
- 14.5 Any person that fails to comply with any of the provisions of Section 14 is guilty of an offence.
- 14.6 The Fire Chief, or designate, may require a person to cease discharging, firing or setting off fireworks when considered necessary to do so for reasons of safety, as outlined in the Alberta Fire Code and the Alberta Safety Codes Act, or for non-compliance of this bylaw.

#### **SECTION 15 FIRE BANS**

- 15.1 The Fire Chief may impose a complete or partial fire ban within the Town at his/her discretion. When a fire ban is imposed, the Town shall post the fire ban information on the Town's website and provincial fire ban website detailing the conditions of the fire ban.

- 15.2 No person shall start or allow a fire on private or public property within the Town at any time while a complete fire ban is in place.
- 15.3 The Fire Chief or designate, a Member or an Enforcement Officer may direct a person to extinguish any fire when a fire ban is in place.
- 15.4 A person who fails to comply with an order issued pursuant to subsection 15.3 is guilty of an offence and the Fire Department may extinguish the fire.

## **SECTION 16 RECOVERY OF COSTS**

- 16.1 The Fire Department will provide such fire suppression and life-saving rescue services as outlined in this Bylaw within the municipal boundaries of the Town of Picture Butte at no charge to the citizens of the Town of Picture Butte.
- 16.2 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, responding to a fire call, false alarm or incident for the purpose of preserving life or property from injury or destruction by fire or other incident, the Fire Chief may:
  - a. in respect of any cost incurred in taking such action, charge any cost so incurred to the person who commits arson or deliberately commits criminal action that leads to an emergency situation and is convicted of such; or
  - b. in respect of any action taken on railway rights of way, charge any cost so incurred to the company or its agent; or
  - c. in respect to any response to a motor vehicle collision on a provincial highway, recover costs from Alberta Transportation as per their established rates for reimbursement; or
  - d. in respect of any action taken to mitigate or control a hazardous materials or dangerous goods incident, charge any cost so incurred to the company or its agent.
- 16.3 Notwithstanding subsection 16.1, an owner or occupant of land shall not be charged for costs incurred due to a False Alarm unless such owner or occupant is responsible for such False Alarm.
- 16.4 The costs and fees to be charged by the Fire Department for services rendered pursuant to this Bylaw are as set out in the Town of Picture Butte's Schedule of Fees.
- 16.5 In respect of any costs or fees levied or charged under this Bylaw:
  - a. the Town may recover such costs or fees as a debt due and owing to the Town; and;
  - b. in default of payment, where permitted by the Municipal Government Act, add the amounts to the tax roll of a parcel of land.
- 16.6 The Fire Department may charge for the provision of Non-Emergent Services as outlined in the Town's Fees and Rates Policy.

## **SECTION 17 OFFENCES**

- 17.1 No person shall damage or destroy Fire Department apparatus, equipment or supplies.
- 17.2 No person shall falsely represent themselves as a Member or wear or display any Fire Department badge, cap, insignia or other paraphernalia for the purpose of such representation.
- 17.3 No person shall:
  - a. cause any open or illegal fire in the Town of Picture Butte contrary to any provision of this Bylaw; or
  - b. provide false, incomplete or misleading information to the Fire Department on or with respect to an incident, fire or fire related information; or
  - c. interfere with the efforts of any persons authorized to extinguish fires or preserve life or property or in the carrying out of other duties imposed by this Bylaw; or

- d. at an incident, impede, obstruct or hinder a Member or other person assisting or acting under the direction of the Member in Charge; or
- e. at an incident, drive a vehicle or any apparatus without the permission of the Member in charge; or
- f. impede, obstruct or hinder a Member from carrying out duties imposed by this Bylaw; or
- g. burn or be responsible for the burning of any garbage or refuse; or
- h. allow any fire to give off dense smoke or any offensive odor in a manner which relates nuisance to neighboring persons and property; or
- i. allow any fire to burn out of control so as to threaten or cause damage to adjacent property; or
- j. light an open fire or a structure fire; or
- k. fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than his/her own; or
- l. deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.

## **SECTION 18 PENALTIES**

- 18.1 A person who fails to comply with or breaches any provision of this Bylaw is guilty of an offence.
- 18.2 If a Municipal Ticket is issued in respect of an offence, the Municipal Ticket will specify the fine amount listed in Schedule "A".
- 18.3 A person who is issued a Municipal Ticket in respect of an offence may pay the fine amount established by this bylaw for the offence at the Town of Picture Butte Office located at 120 – 4<sup>th</sup> Street North, Picture Butte, Alberta T0K 1V0 and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 18.4 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
  - a. specify the fine amount established by this bylaw for the offence; or
  - b. require a person to appear in court without the alternative of making a voluntary payment; and a person who enters a guilty plea or is found guilty of an offence is liable to a fine in an amount not less than that specified in this bylaw and not exceeding \$10,000.00 and liable to imprisonment for not more than 6 months for non-payment of the fine. Nothing in this Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

## **SECTION 19 LIABILITY**

- 19.1 The Fire Chief or a Member charged with any duty of this Bylaw, acting in good faith and without malice for the Town in the discharge of their duties, shall not hereby render themselves personally liable and the Fire Chief or Member is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of the Fire Chief or Member's duties.
- 19.2 Any suit brought against the Fire Chief or a Member, because of an act or omission performed by the Member in the enforcement of any provision of this Bylaw, shall be defended by the Town until final determination of the proceedings. The Fire Chief and any Member will be reimbursed or indemnified against any loss or expense which the Fire Chief or Member may incur as a result of any inquiry relating to, or any action brought or judgment obtained arising out of the Fire Chief or Member's duties. The Town shall not be required to pay any fines or penalties levied or imposed against the Fire Chief or any Member by reason of any conviction or charge for violation of any statute or Bylaw.

## **SECTION 20 SEVERABILITY**

- 20.1 Should any section or part of this Bylaw be found to have been improperly enacted for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

## **SECTION 21 REPEALED**

- 21.1 Town of Picture Butte Bylaw No. 859-17 and any amendments are hereby repealed.

This Bylaw shall take effect on the day of the final passing thereof.

INTRODUCED AND GIVEN FIRST READING this 23<sup>rd</sup> day of November, 2020.

GIVEN SECOND READING this 23<sup>rd</sup> day of November, 2020.

GIVEN THIRD AND FINAL READING this 23<sup>rd</sup> day of November, 2020.

  
\_\_\_\_\_  
MAYOR

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

**SCHEDULE “A”**

**Fines**

<b><u>Offence</u></b>	<b><u>Section, Subsection or Clause</u></b>	<b><u>Fine Amount</u></b>
Failing to report a fire	9(9.1)	\$150.00
Failing to report a dangerous good spill or release	9(9.2) or 9(9.3)	\$150.00
Having an open fire	10(10.2)	
1 <sup>st</sup> offence within one (1) year		\$100.00
2 <sup>nd</sup> offence within one (1) year		\$250.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$500.00
Failure to have a permitted fire pit, fire place or barbeque	13(13.6)	\$150.00
Illegally discharging fireworks in Town	14 (14.5)	
1 <sup>st</sup> offence within one (1) year		\$250.00
2 <sup>nd</sup> offence within one (1) year		\$500.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$750.00
Failure to comply during a Fire Ban	15.4	
1 <sup>st</sup> offence within one (1) year		\$500.00
2 <sup>nd</sup> offence within one (1) year		\$750.00
3 <sup>rd</sup> and subsequent offence within one (1) year		\$1000.00
Damage or Destroy Fire Department Property	17.1	\$1000.00
Impersonating a Member	17.2	\$250.00
Provide false information	17.3(b)	\$250.00
Interfere with a member in carrying out duties under Bylaw	17.3(f)	\$1000.00
Burning of garbage or waste	17.3(g)	\$250.00
Allow a fire to create dense smoke or offensive odor	17.3(h)	\$150.00
Failure to control a fire	17.3(i), 17.3(k)	\$500.00
Deposit, discard or leave burning material/substance	17.3(l)	\$150.00



SCHEDULE "B"

## Display Fireworks Permit

Supervisor/Company Name: \_\_\_\_\_

Sponsoring Agency: \_\_\_\_\_

Fireworks Supervisor's Card Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

The applicant is herewith authorized to possess, handle, discharge, fire or set of Display (Class 7.2.2) Fireworks within the Town of Picture Butte:

on \_\_\_\_\_ at \_\_\_\_\_  
Date & Time Location

Fireworks display must be in compliance with Section 5.7 of the Alberta Fire Code. The applicant must provide as part of this permit application:

- Proof of liability insurance in the amount of \$2,000,000
- A copy of their Fireworks Supervisor's card
- A diagram of the display site & discharge area
- A list of the fireworks that will be discharged

Conditions:

- Applicant must have the permission of all property owners adjacent to the display area
- Must contact the Fire Department before the shoot
- Cannot set off the fireworks if winds exceed 45 km/h
- All Transportation of Dangerous Goods transportation & storage requirements for Class 1 Explosives apply

This permit is subject to the cancellation for any breach of the Alberta Fire Code (Section 5.7) or any of the requirements or conditions of this permit.

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Approving Officer

Permit Number \_\_\_\_\_



TOWN OF PICTURE BUTTE  
BYLAW NO. 906-21

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN ECONOMIC DEVELOPMENT COMMITTEE TO PROMOTE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the right to govern the Town in a manner that Council considers appropriate;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws in relation to the establishment and functions of Council committees, and the procedure and conduct of Council committees, and the conduct of Council committees established by the Council;

AND WHEREAS the Council of the Town of Picture Butte considers it expedient to establish an Economic Development Committee to advise them on Economic Development matters;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

1.1. This bylaw may be cited as the "Economic Development Committee Bylaw".

2. DEFINITIONS

2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte;
2. "Committee" means the Picture Butte Economic Development Committee;
3. "Council" means the Town of Picture Butte Council;
4. "Chamber of Commerce" means the Picture Butte and District Chamber of Commerce.

3. Economic Development Committee

3.1. There is hereby established a Committee to be known as the Picture Butte Economic Development Committee.

4. Appointments/Terms

- 4.1. The Committee shall consist of seven (7) voting members appointed by Council. The said members shall consist of:
  1. Two (2) members of Town Council;
  2. One (1) member nominated by the Chamber of Commerce;
  3. Two (2) members representing the agricultural community;
  4. Two (2) members representing the business/industrial community;
- 4.2. A maximum of three (3) members of the Committee may be from outside the municipal boundaries of the Town of Picture Butte.
- 4.3. All members shall be appointed by Council Resolution at the recommendation of the Economic Development Committee submitted in writing.
- 4.4. Appointments shall be for four (4) years.
- 4.5. All members shall remain in office until their respective successors are appointed by Council.

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- 4.6. By mutual consent, the Council and the Committee may with reason, request the resignation of any of the members, prior to the expiry date of the member's appointment.
- 4.7. Any member may resign at any time upon sending a written notice to the CAO.
- 4.8. A person is disqualified from remaining a member of the Committee if he/she fails to attend, without being authorized by a resolution of the Committee to do so, three (3) consecutive Committee meetings.
- 4.9. If a member of the Committee is disqualified from remaining a member under subsection 5.6., he/she is deemed to have resigned his/her seat on the Committee.

## 5. Proceedings

- 5.1. Annually, the Committee shall hold a meeting at which time a chairperson and vice-chairperson shall be selected for the ensuing year.
- 5.2. Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee, at least once every three (3) months, and at such other times as deemed necessary.
- 5.3. A majority of members of the Committee constitute a committee.
- 5.4. Any decision of the Committee that is reached by a majority of quorum shall be deemed to be the decision of the Committee.
- 5.5. All minutes, resolutions and policies of the Committee shall be entered in books to be kept by it for that purpose and the books shall be signed by the Chair or Acting Chair.
- 5.6. A copy of all minutes, resolutions and policies shall be given to the CAO to be filed with the Town records.
- 5.7. Remuneration of the members of the committee shall be established by resolution of Council.

## 6. Economic Development Officer

- 6.1. There shall be an Economic Development Officer who shall assist and advise the Committee.
- 6.2. The Economic Development Officer shall be an employee or appointed by the CAO of the Town of Picture Butte.
- 6.3. The Economic Development Officer shall:
  1. Provide expertise and assistance to the Committee in the development and implementation of economic goals and objectives;
  2. Notify all members and advisers of the Committee of the holding of any regular or special meetings;
  3. Keep proper and accurate minutes of the process of all meetings which shall be retained in the Town office;
  4. Maintain all records and correspondence that are relevant to the Committee;
  5. Carry out such other administrative duties as the Committee may require.
  6. Have no voting privileges.

## 7. Duties of the Committee

- 7.1. The Committee's objectives shall be to devise methods of:
  1. Improving Picture Butte's image;
  2. Attracting new residents;
  3. Attracting new businesses.
- 7.2. The Committee shall provide advice on both economic and community development matters identified by the Committee or as assigned to the Committee by Council.
- 7.3. Specific powers, duties and responsibilities of the Committee include:
  1. serve as a liaison between town government and the community;
  2. in conjunction with Council and Town staff, facilitate economic growth and redevelopment activities for the Town of Picture Butte;

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3. work with citizens, staff, business owners, property owners, prospective developers, the Chamber of Commerce, and other economic development stakeholders on a variety of economic and community development and redevelopment activities;
4. provide review and comment on economic and community development and redevelopment policies to Council;
5. make recommendations to Council regarding economic and community development issues, strategy development and implementation and other initiatives that can be undertaken by the Town to expand and strengthen its economy, inclusive but not limited to investment attraction, business retention and expansion, workforce retention and expansion, entrepreneur development and small business support; and
6. to assist Council in finding funding sources for economic and community development and redevelopment initiatives.

7.4 The Committee Chairperson shall present an annual written report to Council in December of each year.

8. Budget

- 8.1. Annually, before the 30<sup>th</sup> of September, the Committee shall submit to the Council for ratification, a budget of estimated expenditures and revenues for the next year with respect to all matters over which or under the terms of this bylaw, it has jurisdiction.
- 8.2. Neither the Committee nor any member thereof shall have the power to pledge the credit of the Town in connection with any matter whatsoever; nor shall the said Committee nor any member thereof have the power to authorize any expenditure to be charged against the Town.
- 8.3. In the event that there is any deviation of the ratified budget desired by the Committee, application for change from the ratified budget must be made to Council before the change is affected.

9. COMING INTO EFFECT

- 9.1. This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.  
READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>TH</sup> DAY OF JANUARY, 2021. A.D.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 909-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the purpose of the proposed amendment is to redesignate land legally described as:

Lot 5, Block 8, Plan 7810085

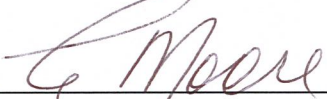
From Residential – R1 to Residential Multi-unit – R5, as shown on the map in Schedule 'A' attached hereto to accommodate the development of a multi-unit residential building;

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. The land described as Lot 5, Block 8, Plan 7810085 as shown on the attached Schedule 'A' be designated Residential Multi-unit – R5.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 25<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 910-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to delete Accessory buildings and structures as a discretionary use and include only as a permitted use in all land use districts without the size specifications, to simply and streamline the development approval process.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:


1. **The Land Use Bylaw is amended by deleting Accessory buildings and structures from the list of Discretionary uses (Type A and B) in each land use district.**
2. **The Land Use Bylaw is amended by deleting all references to size following the listing of Accessory buildings and structures as a permitted use in each land use district, as shown:**

1. PERMITTED USES

Accessory buildings and structures, ~~33.44 m<sup>2</sup> (360 sq. ft.) or less~~

11. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
12. Final formatting and consolidation shall take place following the passage of the bylaw.
13. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 8<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 8<sup>th</sup> day of March 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 911-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to remove the opportunity for manure application and grazing of livestock within the Urban Reserve land use district to ensure agricultural lands within the Town are compatible with adjacent residential and commercial development.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. **The Land Use Bylaw, Part 3 – Development Not Requiring a Development Permit, is amended by deleting text as follows:**

(s) the carrying out of activities related to extensive agriculture as permitted in a land use district, provided it is in accordance with the specific standards and criteria of the bylaw, and with respect to the landowner adhering to good farming practices.

2. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Intent is amended by adding and deleting text as follows:**

INTENT: To limit and manage development in areas along the community's fringe to uses which will not constrain the transition to more intensive urban development in the future. Development and fragmentation of land is to be limited in order to preserve land and enable it to be more efficiently planned for and serviced in the future. Agricultural uses may occur in the interim prior to land being planned for and developed as more intensified urban use, but such uses are limited to non-noxious, minor activities related to the cultivation of land, and crop production

3. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Permitted Uses is amended by deleting the following:**

PERMITTED USES

Extensive agriculture (see definition and section 8 of this district)  
Irrigated farming  
Market gardens  
Nursery

4. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Prohibited Uses is amended by adding the following:**

PROHIBITED USES

Keeping of confined livestock, farm or exotic animals, including animal shelters, cattle barns or feedlots, swine barns, poultry barns, etc.  
Manure application/spreading  
Manure or compost stockpiles  
Noxious and hazardous uses  
Pasturing and grazing of livestock  
Shipping containers

5. **The Land Use Bylaw, Part 2 - Land Use Districts, Map and Regulations, Urban Reserve, Section 6. Extensive Agriculture and Livestock Grazing is amended by adding and deleting text as follows:**

6. EXTENSIVE AGRICULTURE AND LIVESTOCK GRAZING

(1) Development permits are not required for extensive agriculture uses; however, such uses are limited to non-noxious, best practice farming activities related to the cultivation of land and crop production. Allowable activities include cultivating soil, raising and producing field

crops, and working or tending to agricultural land by tilling, seeding, ploughing, fallowing, swathing.

(3) The keeping of confined livestock, farm or exotic animals, manure stockpiling, application, and composting are not permitted in this land use district.

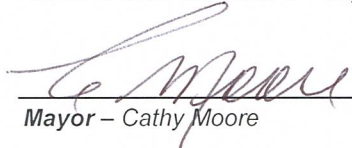
(5) See Definitions, Part 6, for the applicable definitions of extensive agriculture, livestock, farm animals and exotic animals.

6. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.

7. Final formatting and consolidation shall take place following the passage of the bylaw.

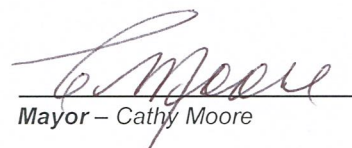
8. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

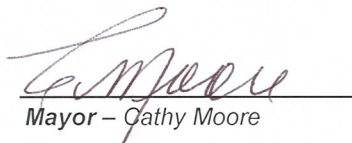
  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 26<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 26<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis



TOWN OF PICTURE BUTTE  
BYLAW NO. 915-21

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

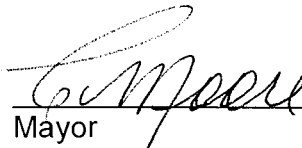
WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:
  - 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw 872-18 Utility Bylaw".
2. AMENDMENTS:
  - 2.1. Bylaw No. 872-18 shall be amended as follows:
    1. Delete:
      - a. Schedule "A".
      - b. Any references to "Schedule "A"".
    2. Add:
      - a. "Service Fees, Rates and Charges bylaw" where there was a previous reference to "Schedule A".
3. COMING INTO EFFECT:
  - 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021  
READ A SECOND TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021  
READ A THIRD TIME THIS THE 26<sup>TH</sup> DAY OF APRIL, A.D. 2021

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE**

**BYLAW # 916-21**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2021 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on May 10, 2021; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2021 total **\$4,676,805.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,309,750.00**, and the balance of **\$1,367,055.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 355,780.00	
Non-Residential	<u>\$ 99,295.00</u>	\$ 455,075.00
Opted Out School Boards:		
Residential / Farmland	\$ 44,275.00	
Non-Residential	<u>\$ 21,780.00</u>	<u>\$ 66,055.00</u>
Total School Requisitions		\$ 521,130.00
Green Acres Foundation (Seniors Requisition)		\$ 28,160.00
FCSS		\$ 13,775.00
Provincial Policing		\$ 65,000.00
Designated Industrial Property (DIP Requisition)		<u>\$ 175.00</u>
<b>Total Requisitions for 2021</b>		<b>\$ 628,240.00</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:


	<b>Assessment</b>
Residential / Farm Land – Public	\$ 134,908,660.00
Residential / Farm Land – Separate	\$ 16,788,840.00
Non-Residential / Linear – Public	\$ 26,952,650.00
Non-Residential / Linear – Separate	\$ 5,912,990.00
Machinery and Equipment – Public	\$ 1,792,060.00
Machinery and Equipment – Separate	<u>\$ 0.00</u>
<b>Total Assessment for 2021</b>	<b>\$ 186,354,380.00</b>

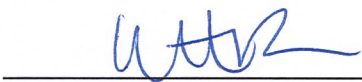
**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,067,966.00	\$151,697,500.00	7.04010
Non-Residential and M&E	\$ 299.089.00	\$ 34,656,880.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 355,780.00	\$134,908,660.00	2.63719
Non-Residential	\$ 99,295.00	\$ 26,952,650.00	3.68403
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 44,275.00	\$ 16,788,840.00	2.63719
Non-Residential	\$ 21,780.00	\$ 5,912,990.00	3.68403
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 28,160.00	\$186,354,380.00	0.15111
<b>FCSS</b>	\$ 13,775.00	\$186,354,380.00	0.07392
<b>Provincial Policing</b>			
Residential / Farmland	\$ 50,385.00	\$151,697,500.00	0.33214
Non-Residential	\$ 14,615.00	\$ 34,656,880.00	0.42171
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 175.00	\$ 2,241,360.00	0.07808
<b>GRAND TOTAL</b>	<b>\$ 1,995,295.00</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.
- Read a first time in Council assembled this 10<sup>th</sup> day of May, 2021
- Read a second time in Council assembled this 10<sup>th</sup> day of May, 2021
- Council unanimously resolved to proceed to third reading this 10<sup>th</sup> day of May, 2021
- Read a third time in Council assembled this 10<sup>th</sup> day of May, 2021

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 918-21**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the purpose of the proposed amendment is to redesignate land legally described as:

Lot 1, Block 1, Plan 1411186

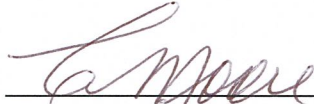
From Rural Urban Fringe – RUF to Industrial - I, as shown on the map in Schedule 'A' attached hereto to accommodate industrial development;

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

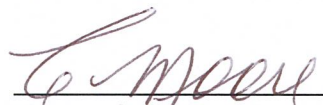
1. The land described as Lot 1, Block 1, Plan 1411186 as shown on the attached Schedule 'A' be designated Industrial - I.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 10<sup>th</sup> day of May, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 14<sup>th</sup> day of June, 2021.

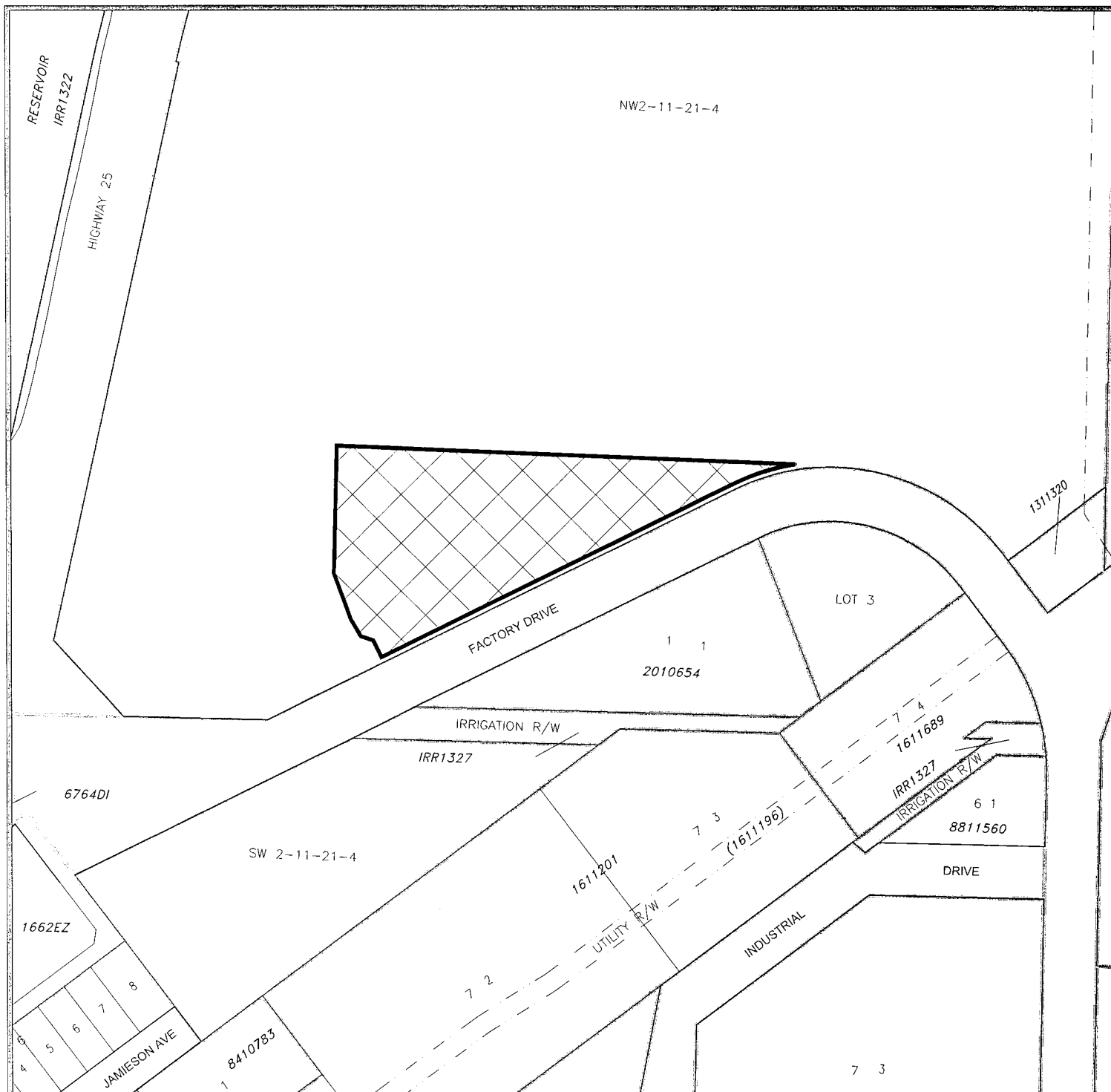
  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 14<sup>th</sup> day of June, 2021.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**



FROM: Rural Urban Fringe - RUF  
TO: Industrial - I

LOT 1; BLOCK 1; PLAN 1411186

WITHIN NW 1/4 SEC 2, TWP 11, RGE 21, W 4 M

MUNICIPALITY: TOWN OF PICTURE BUTTE

DATE: MAY 5, 2021

Bylaw #: \_\_\_\_\_  
Date: \_\_\_\_\_



OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 50 100 150 200  
Metres

May 05, 2021 N:\Lethbridge-County\Picture Butte\Picture Butte LUD & Land Use Redesignations\Picture Butte - Lot 1 - Block 1 - Plan 1411186.dwg



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

**Town of Picture Butte**  
**BYLAW NUMBER 922-21**

A bylaw of the Town of Picture Butte in the Province of Alberta to establish a Regional Assessment Review Board.

**WHEREAS**, section 454 of the *Municipal Government Act*, states that council must by bylaw establish a local assessment review board and a composite assessment review board; and

**WHEREAS**, section 454.1(1) of the *Municipal Government Act*, states that council must appoint at least 3 persons as members of the local assessment review board; and

**WHEREAS**, section 454.2(1) of the *Municipal Government Act*, states that council must appoint at least 2 persons as members of the composite assessment review board; and

**WHEREAS**, section 455(1) of the *Municipal Government Act*, states that two or more councils may agree to jointly establish the local assessment review board or the composite review board, or both, to have jurisdiction in their municipalities; and

**WHEREAS**, Oldman River Regional Services Commission (Commission) and Municipalities within the region, jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by an assessed person or taxpayer of a Regional Member Municipality; and

**WHEREAS**, Oldman River Regional Services Commission will pay for the costs associated with the establishment and operations of the required Assessment Review Board(s) and will invoice the Municipality their portion of the costs.

**NOW THEREFORE**, the Council of the Town of Picture Butte, duly assembled, enacts as follows:

**1.     Title**

- 1.1     The title of this Bylaw shall be the “Regional Assessment Review Board Bylaw Amendment 2021”.

**2.     Definitions**

- 2.1     Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- 2.2     In this bylaw the following terms shall have the meanings shown:
- a.     **Alternate** means a person who is available to perform the duties of a member in the event the member is unable to fulfil Board duties.
  - b.     **Board** means the Regional Assessment Review Board.
  - c.     **CARB** means the Composite Assessment Review Board established in accordance with the ‘*Matters Relating to Assessment Complaints*’ regulation.
  - d.     **Clerk** means the person appointed to carry out the duties and functions of the assessment review board as required under section 456 of the *Municipal Government Act*.
  - e.     **Citizen-at-large** means a person who does not represent a specific organization and is appointed by Council.
  - f.     **LARB** means the Local Assessment Review Board established in accordance with the ‘*Matters Relating to Assessment Complaints*’ regulation.
  - g.     **Member** means a member of the Regional Assessment Review Board.
  - h.     **MGA** means the *Municipal Government Act* of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.
  - i.     **Regional Member Municipality** means those municipalities who enter into an agreement with the Commission to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

**3.     Appointment of Board Members**

- 3.1     Each Member Municipality may appoint one individual to the Board and may appoint an individual as an alternate to the Board.

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- 3.2 The Board shall consist of a minimum of twenty members, some of whom may be a Citizen-at-large or a Council member.
- 3.3 In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

#### **4. Terms of Appointment**

- 4.1 Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.
- 4.2 If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.
- 4.3 A Member may be re-appointed to the Board at the expiration of his/her term, provided recertification training has occurred prior to the expiration of term.
- 4.4 A Member may resign from the Board at any time on written notice to the Clerk and to the Member Municipality to that effect.
- 4.5 The Member Municipality may remove their designated Member at any time.

#### **5. Panels of the Board**

- 5.1 The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:
- a. three persons selected by the Clerk when the Board is acting as a Local Assessment Review Board;
  - b. two persons selected by the Clerk when the Board is acting as a Composite Assessment Review Board; or
  - c. a single member selected by the Clerk when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.
- 5.2 The Clerk may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
- a. the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
  - b. the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
  - c. where possible, the Clerk shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

#### **6. Chairperson**

- 6.1 The Chairperson of a panel:
- a. will preside over and be responsible for the conduct of meetings;
  - b. may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
  - c. will vote on matters submitted to the panel unless otherwise disqualified.

#### **7. Jurisdiction of the Board**

- 7.1 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the

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provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

**8. Clerk(s) of the Board**

- 8.1 The Clerk(s) of the Board shall be a person designated by the Oldman River Regional Services Commission's Chief Administrative Officer.
- 8.2 The Clerk shall:
- a. assist the Board in fulfilling its mandate; and
  - b. prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

**9. Meetings**

- 9.1 Meetings will be held at such time and place as determined by the Board.
- 9.2 The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act.

**10. Quorum and Voting**

- 10.1 The quorum for panels of the Board shall be as established by the MGA, namely:
- a. two members of a panel acting as a local assessment review board; and
  - b. one member and the provincial member of a panel acting as a composite assessment review board.
- 10.2 All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- 10.3 The majority vote of those Members present and voting constitutes the decision of the Board.
- 10.4 Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Clerk shall appoint a replacement member of the panel.

**11. Conflict of Interest**

- 11.1 Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from Board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
- a. declares that he or she has a conflict of interest; and
  - b. describes in general terms the nature of the conflict of interest.
- 11.2 The Clerk shall cause a record to be made in the Minutes of the members' absence and the reasons for it.
- 11.3 For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
- a. he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
  - b. substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

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**12. Pecuniary Interest**

- 12.1 The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- 12.2 A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

**13. Commencement of Appeals**

- 13.1 An assessed person or a taxpayer may commence an assessment complaint by:
- a. mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the '*Matters Relating to Assessment Complaints*' regulation and within the time specified in the MGA; and
  - b. paying the applicable fee.

**14. Rules of Order**

- 14.1 The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

**15. Adjournments**

- 15.1 The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:
- a. allowing the Board to obtain a legal opinion or other professional guidance; or
  - b. to allow a viewing by the Board of the site in respect of which the appeal is being made.
- 15.2 Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

**16. Notice of Decisions & Record of Hearing**

- 16.1 After the hearing of a complaint, the Clerk shall:
- a. under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
  - b. arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.
- 16.2 The Clerk will maintain a record of the hearing.

**17. Delegation of Authority**

- 17.1 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- a. its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the Clerk who will follow the Oldman River Regional Services Commission policy.


**18.     Reimbursement of Costs**

- 18.1     The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.

**19.     Coming into Effect**

- 19.1     Bylaw No. 917-21 Regional Assessment Review Board bylaw is hereby rescinded.  
19.2     This bylaw shall come into force and effect on the final day of passing thereof.

Read a First Time this 12<sup>th</sup> day of October, 2021.  
Read a Second Time this 12<sup>th</sup> day of October, 2021.  
Read a Third and Final Time this 12<sup>th</sup> day of October, 2021.

  
\_\_\_\_\_  
Mayor / Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 923-22**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ADOPT THE NORTH INDUSTRIAL AREA STRUCTURE PLAN.**

**WHEREAS** in accordance with Section 633 of the Municipal Government Act, RSA-2000, Chapter M-26, and all amendments thereto, the Council of the Town of Picture Butte deems it advisable to adopt an Area Structure Plan;

**AND WHEREAS** the purpose of proposed Bylaw No. 923-22 is to establish standards and requirements regarding the development and subdivision of highway commercial and industrial land within the north area of Picture Butte;

**AND WHEREAS** the municipality wishes to provide for orderly growth and development to occur while minimizing land use conflicts;

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta hereby enacts as follows:

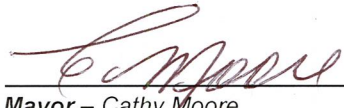
1. That the North Industrial Area Structure Plan attached hereto as Schedule "A" be adopted.
2. Final formatting and consolidation shall take place following the passage of the bylaw.
3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 10<sup>th</sup> day of January, 2022.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time (as amended per Schedule 'B') this 28<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time (as amended per Schedule 'B') and finally passed this 28<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

## Bylaw No. 923-22

### Schedule 'B'

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*Amendments to add to the North Industrial Area Structure Plan (Bylaw No. 923-22) since the granting of first reading by Council, to be reflected in the final adopted plan document.*

**Amend** Section 1.2 (Page 4) – typo in second paragraph (first sentence) – reference to “non-industrial” is incorrect and should be “non-residential”.

**Amend** Section 2.2, Road Network (page 7) by adding the following statement to the last sentence (text in italicized bold):

An initial Transportation Impact Assessment is provided in Appendix C *for information purposes (the final TIA to be included in Appendix C as part of this ASP shall be as approved by Alberta Transportation).*

**Add** to section 3.3, Road Network, the following text (in italicized bold):

The integration of new roadways into existing roadways will be essential for logical and efficient development in accordance with engineering standards. The proposed road network shown in Map 3 – Road Network provides easy flow of traffic through the plan area and the potential to connect to undeveloped land *in Lethbridge County* to the east and north in the future. ***It is recognized that the town's IDP with Lethbridge County recognizes these lands within Lethbridge County could potentially allow for future development. The illustrated potential road is a method to provide future connectivity to the adjacent lands and a means for those areas to connect out to Highway 25.***

**Add** to section 3.3, Road Network, the following two new policies in text (in italicized bold):

- 3.3.7** *An initial Traffic Impact Assessment prepared by ISL Engineering does not form part of the adopted ASP document until such time Alberta Transportation has reviewed the TIA and granted an approval (at which time it may be included in Appendix C and used for reference.)*
- 3.3.8** *The potential roads (Maps 2-5) illustrated as ‘road connections’ into Lethbridge County are shown as “future connections” with respect to long-term planning for connectivity, and in the interim, they will be undeveloped or developed as a turn-around bulb instead of a through road.*

**Amend** stormwater drainage policy 3.5.3, to remove the middle reference to ‘per any agreement with Lethbridge County’, as follows (in italicized strikethrough):

- 3.5.3** Landowners/developers of the subdivision, ~~*as per any agreement entered into with Lethbridge County,*~~ will be required to provide the mechanisms or infrastructure needed for storm water management, at their expense.

**Add** a new section 3.8, Design Guidelines, and include the following text and policy (in italicized bold):

#### **3.8 DESIGN GUIDELINES**

*To ensure a high quality of development occurs the landowner/developer will be required at the time of redesignation, subdivision, and development to address landscaping and design guidelines. (Appendix 1)*

3.8.1 *The Town, at its discretion, may require architectural controls to be prepared for internal industrial lots to the municipality's satisfaction and registered on title at the time of subdivision to ensure a high quality of development occurs.*

3.8.2 *In addition to the guidelines outlined in Appendix 1, architectural controls will be required at the time of redesignation and are to be registered on title at the time of subdivision for commercial/industrial land use adjacent to Highway 25, in accordance with the 'Highway Commercial Design Guidelines' of the IDP with Lethbridge County for land along the IDP identified highway entranceways.*

**Add to section 4.3, Subdivision, Development and the Servicing of Land, the following additional text to the last bullet (in italicized bold):**

- The Town, at its discretion, may require architectural controls to be prepared to the municipality's satisfaction and registered on title to ensure a high quality of development occurs. ***For the highway commercial development adjacent to Highway 25, this will be required in accordance with the IDP with Lethbridge County and the Highway Commercial Design Guidelines.***

**Amend Appendix A, Highway Commercial Design Guidelines, and include the following text in the last paragraph (in italicized bold):**

The below are ***important*** guidelines that shall apply at the subdivision and development permit stage for highway commercial development. In addition to these standards, ***the Lethbridge County and Town of Picture Butte IDP Bylaw No. 18-009 & 865-18 also contains more comprehensive guidelines that are to apply to highway commercial development.***

**Add to Appendix A, Landscaping section, item 11 the words "professionally prepared" (in italicized bold):**

11. A ***professionally prepared*** high-quality landscape plan shall be provided for highway commercial development to the satisfaction of the Development Authority.

**Add to Appendix A, a Signage section, and include the following new policies 15 & 16 (in italicized bold):**

15. ***Billboards and third-party signage are not permitted in accordance with the Lethbridge County and Town of Picture Butte IDP Bylaw No. 18-009 & 865-18.***

16. ***All other signage shall be as per the standards of the Town of Picture Butte Land Use Bylaw and in accordance with any requirements of Alberta Transportation.***

**Amend the Diagrams - (maps 2, 4 & 5) to identify and label the future connector roads to the north and east for that specific purpose.**



**BYLAW NO. 924-22**  
**OF THE TOWN OF PICTURE BUTTE**

(hereinafter referred to as "the Municipality")  
**IN THE PROVINCE OF ALBERTA**

**This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of a debenture in the amount of \$1,400,000.00 for the purpose of constructing a Fire Hall Expansion.**

**WHEREAS:**

The Council of the Town of Picture Butte has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of construction of Fire Hall Expansion.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$1,900,000.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Capital Reserves	\$240,000.00
Operating Funds	\$50,000.00
Provincial Grants	\$210,000.00
Debenture(s)	<u>\$1,400,000.00</u>
Total Cost	\$1,900,000.00

In order to complete the project, it will be necessary for the Municipality to borrow the sum of \$1,400,000.00 for a period not to exceed THIRTY (30) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of THIRTY years.

The principal amount of the outstanding debt of the Municipality at December 31, 2021 is \$885,048.10 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of constructing the Fire Hall Expansion the sum of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$1,400,000.00 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the construction of a Fire Hall Expansion.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed thirty (30) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed EIGHT (8%) percent.



4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
7. This by-law comes into force on the date it is passed.

Read Bylaw #924-22 a first time in Council assembled of this 24<sup>th</sup> day of January, 2022.

Read Bylaw #924-22 a second time in Council assembled of this 14<sup>th</sup> day of March 2022.

Read Bylaw #924-22 a third time in Council assembled this 14<sup>th</sup> day of March, 2022.

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Cathy Moore  
Mayor



Keith Davis  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 926-22

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND LICENCE THE KEEPING OF CHICKENS IN URBAN AREAS OF THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the safety, health and welfare of people, the protection of people and property, wild and domestic animals and certain activities in relation to them;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws to provide a system of licences, permits and approvals;

AND WHEREAS the Council of the Town of Picture Butte deems it desirable to regulate and licence the keeping of chickens in urban areas of the Town;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

1.1. This bylaw may be cited as the "Urban Hen Bylaw".

2. DEFINITIONS

2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte, or designate;
2. "Contiguous Boundary" means property which either abuts directly on the property where Hens will be kept or is directly separated from the property by a street or street right of way, alley, walkway, railway, water body, utility lot or other similar feature;
3. "Coop" means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Hens, that is no larger than 9.2 square metres (100 sq. ft.) in floor area, and no more than two metres (6.56ft.) in height;
4. "Council" means the Town of Picture Butte Council;
5. "Hen(s)" means a domesticated female chicken that is at least sixteen weeks of age;
6. "Municipal Tag" means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town;
7. "Outdoor Enclosure" means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for the Hens to roam;
8. "Peace Officer" means
  - a. A member of the Royal Canadian Mounted Police
  - b. A Community Peace Officer as appointed by the Solicitor General of Alberta;
  - c. A Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town;
9. "Rooster" means a domesticated male chicken;
10. "Sell" means to exchange or deliver for money or its equivalent;
11. "Town" means the Town of Picture Butte, a municipal corporation in the Province of Alberta, and where the context so requires, means the area of land within the corporate boundaries thereof;
12. "Urban Area" means lands located within the Town on which agricultural operations, including but not limited to the keeping of livestock, are neither a permitted or discretionary use under the Bylaws of the Town;

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13. "Urban Hen Licence" means a licence issued pursuant to this Bylaw which authorizes the licence holder to keep Hens on a specific property within the Town.
14. "Violation Tag" means a notice or tag in the form as approved by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw;
15. "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedures Act, Revised Statutes of Alberta 2000, Chapter P-34 and any amendments or regulations thereto.

### 3. PROHIBITIONS

- 3.1. In an Urban Area, no person shall keep:
  1. a Rooster;
  2. a Hen, other than on a property for which a valid Urban Hen Licence has been issued; or
  3. burn excess manure.

### 4. URBAN HEN LICENCES

- 4.1. The maximum number of Urban Hen Licences that may be issued in the Town shall be ten (10).
- 4.2. A person may keep up to five (5) Hens by:
  1. Submitting a completed Urban Hen Licence Application;
  2. Paying a non-refundable application fee as outlined in the Town's Fees, Rates and Charges Bylaw.
  3. Paying an annual fee for the Urban Hen Licence as outlined in the Town's Fees, Rates and Charges Bylaw.
- 4.3. Notwithstanding Section 4.2 properties zoned *Public - P* under the current Land Use Bylaw may keep up to fifteen (15) Hens by following the requirements of this bylaw.
- 4.4. Urban Hen Licences:
  1. May be issued if the CAO is satisfied that:
    - a. The applicant is the owner of the property on which the Hens will be kept; or that the owner of the property has provided written consent to the applicant;
    - b. The property is zoned as a residential land use district, excluding Residential Multi Unit – R5 properties, according to the Town's Land Use Bylaw.
    - c. The property is zoned as a Public land use district according to the Town's Land Use Bylaw.
    - d. The applicant resides on the property on which the Hens will be kept;
      - i. Section 4.4.1d. will not be a requirement of this bylaw if the property is zoned *Public – P* under the Town's Land Use Bylaw.
    - e. All required information has been provided;
    - f. The applicable fee has been paid; and
    - g. The applicant has complied with all other Provincial and Federal regulations for the keeping of chickens.
  2. May be refused or revoked by the CAO if:
    - a. The applicant or licence holder does not meet or no longer meets the requirements for an Urban Hen Licence as set out in the Bylaw;
    - b. The applicant or licence holder furnishes false information or misrepresents any fact or circumstance required pursuant to this Bylaw;
    - c. The applicant or licence holder has, in the opinion of the CAO, based on reasonable grounds, contravened any part of this Bylaw whether or not the contravention has been prosecuted;

- d. The applicant or licence holder fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping livestock;
  - e. The applicant or licence holder fails to pay any fee required by this Bylaw or any other applicable legislation; or
  - f. In the opinion of the CAO, based on reasonable grounds, it is in the public interest to do so.
- 3. Will be refused by the CAO if fifty percent or more of the neighbours having contiguous boundaries with the property where the Hens will be kept are not in support of the application.
- 4. Are valid for the year, ending December 31<sup>st</sup>;
- 5. Are not transferable from one person to another;
- 6. Are not transferable from one property to another except:
  - a. when a licence holder has moved to a new property within the Town, then:
    - i. The licence holder may apply to transfer the licence; and
    - ii. an inspection of the new property must be carried out to determine the licence holder is still able to meet all requirements for an Urban Hen Licence as set out in this Bylaw at such property.
- 4.5. Urban Hen Licence Fees:
  - 1. Are to be paid prior to the 31<sup>st</sup> of January of every year and expire on December 31<sup>st</sup>;
  - 2. Shall not be reduced or prorated no matter the month of purchase;
  - 3. Shall not be refunded or rebated.
- 4.6. Notwithstanding any other Town bylaw, a person who has applied for and has been approved for ownership of Hens may keep them in accordance with the terms of this Bylaw and its attached Schedules.
- 4.7. If the CAO revokes, or refuses to issue an Urban Hen Licence, the applicant may appeal the decision to Council.

## 5. KEEPING OF HENS

- 5.1. A person who keeps Hens must:
  - 1. Provide each Hen with at least 0.37 square metres (3.98 sq.ft.) of interior floor area, and at least 0.92 square metres (9.9 sq. ft) of outdoor enclosure, within the Coop;
  - 2. Ensure that each Coop is:
    - a. Located in the rear of the property;
    - b. Meets the setback requirements for accessory buildings and structures as outlined in the Town's current Land Use Bylaw.
    - c. At grade level, is no more than 2 metres (6.56 ft.) in height;
  - 3. Provide and maintain, in the Coop, at least one nest box per Coop and one perch per Hen that is at least 15cm long;
  - 4. Keep each Hen in the Coop at all times;
  - 5. Provide each Hen with appropriate food, water, shelter, light, warmth, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust bathing, and roosting, all sufficient to maintain the Hen in good health;
  - 6. Maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
  - 7. Construct and maintain the Coop to prevent any rodent from harbouring underneath, within, or within its walls, and to prevent entrance by any other animal;
  - 8. Keep the Coop secured at all times;
  - 9. Remove leftover feed, trash, and manure in a timely manner;
  - 10. Store feed with a fully enclosed container;
  - 11. Store manure within a fully enclosed container, and store no more than 85 litres of manure at any time;

12. Remove all other manure not used for composting or fertilizing and dispose of such in accordance with Town bylaws;
13. Follow biosecurity procedures outlined by the Canadian Food Inspection Agency to reduce the potential for a disease outbreak;
14. Keep Hens for personal use only; and
15. Inform the Town immediately of any disease or welfare issues that may affect the public, and of the steps taken to rectify the situation.

5.2. No person who keeps Hens shall:

1. Sell eggs, manure, meat, or other products derived from a Hen;
  - a. Section 5.2.1. is not a requirement if the property is zoned *Public – P* under the Town's Land Use Bylaw.
2. Slaughter any Hen on the property;
3. Dispose of any Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of such; and
4. Keep a Hen in a cage, kennel, or any other form of shelter other than a Coop, except for the purpose of temporary transport.

6. AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

6.1. Without restricting any other power, duty or function granted by the Urban Hen Bylaw, the CAO may:

1. Carry out any inspections to determine compliance with this Bylaw;
2. Take any steps or carry out any actions required to enforce this Bylaw;
3. Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
4. Establish forms for the purpose of this Bylaw; and
5. Delegate any powers, duties or functions under this Bylaw to a Town employee.

7. PENALTIES AND ENFORCEMENT

- 7.1 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.
- 7.2 Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than Ten Thousand (\$10,000) dollars, imprisonment for a term not exceeding one year, or both.
- 7.3 Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum specified penalty for the offence.
- 7.4 Where a person contravenes the same provision of this Bylaw two or more times within one twelve-month period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in Schedule A for such offences.
- 7.5 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day on which it continues.
- 7.6 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which that person is liable under the provisions of this Bylaw or any other Bylaw.
- 7.7 Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw may issue and serve:
  1. A violation tag allowing a payment of the specified penalty to the Town; or
  2. A violation ticket allowing payment according to the provisions of the Provincial Offences and Procedure Act, Revised Statutes of Alberta 2000, Chapter P-34 and amendments thereto.
- 7.8 Service of a violation tag will be sufficient if it is:
  1. Personally served; or

2. Served by regular mail to the person's last known mailing address.
- 7.9 If a violation ticket is issued in respect to an offence, the violation ticket may:
  1. Specify the fine amount established by this Bylaw for the offence; or
  2. Require a person to appear in court without the alternative of making a voluntary payment.
- 7.10 A person who commits an offence may
  1. If a violation ticket is issued in respect of the offence; and
  2. If the violation ticket specified the fine amount established by this Bylaw for the offence;

make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the provincial courthouse specified on the violation ticket.

## 8. SEVERABILITY

- 8.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of the Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.


## 9. COMING INTO EFFECT

- 8.1 This Bylaw shall come into effect on the date of the third reading and rescinds Bylaw No. 912-21 Urban Hen Bylaw

READ A FIRST TIME THIS 28<sup>TH</sup> DAY OF MARCH, 2022. A.D.  
READ A SECOND TIME THIS 25<sup>TH</sup> DAY OF APRIL, 2022. A.D.  
READ A THIRD TIME AND FINALLY PASSED THIS 25<sup>TH</sup> DAY OF APRIL, 2022.  
A.D.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO



SCHEDULE A

SECTION	OFFENCE	PENALTY 1 <sup>st</sup> Offence	PENALTY 2 <sup>nd</sup> and Subsequent
3.1.1	Keep a rooster	\$250	\$500
3.1.2	Keep an unlicenced Hen	\$250	\$500
4.3.5	Transfer Urban Hen Licence	\$250	\$500
4.4.1	Fail to renew Urban Hen Licence	\$250	\$500
5.1.1	Fail to provide adequate Coop space for number of Hens	\$250	\$500
5.1.2	Coop improperly located	\$250	\$500
5.1.2	Fail to provide nest box or perch per Hen	\$250	\$500
5.1.4	Allow Hen to be outside the Coop	\$250	\$500
5.1.5	Fail to adequately provide for essential Hen behaviour	\$250	\$500
5.1.6	Fail to maintain the Coop to prevent odours	\$250	\$500
5.1.7	Fail to prevent rodents/animals from entering the Coop	\$250	\$500
5.1.8	Fail to keep Coop secured	\$250	\$500
5.1.9	Fail to remove waste in timely manner	\$250	\$500
5.1.10	Fail to properly store feed	\$250	\$500
5.1.11	Fail to properly store manure	\$250	\$500
5.1.12	Fail to properly dispose of manure	\$250	\$500
5.1.13	Fail to follow biosecurity procedures	\$250	\$500
5.1.14	Keep Hens for other than personal use	\$250	\$500
5.1.15	Fail to inform of any disease or welfare issues	\$250	\$500
5.2.1	Sell products derived from Hens	\$250	\$500
5.2.2	Slaughter Hen on property	\$250	\$500
5.2.3	Unlawfully dispose of Hen	\$250	\$500
5.2.4	Keep Hen in other form of shelter other than a Coop	\$250	\$500
	Application Fee	As per the Fees, Rates and Services Bylaw \$100 Proposed	
	Annual Urban Hen Licence Fee	As per the Fees, Rates and Services Bylaw \$30 Proposed	

cm



## TOWN OF PICTURE BUTTE

### BYLAW # 928-22

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2022 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 25, 2022; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2022 total **\$4,916,270.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,462,670.00**, and the balance of **\$1,453,600.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 364,406.00	
Non-Residential	<u>\$ 108,451.00</u>	\$ 472,857.00
Opted Out School Boards:		
Residential / Farmland	\$ 45,305.00	
Non-Residential	<u>\$ 23,894.00</u>	<u>\$ 69,199.00</u>
Total School Requisitions		\$ 542,056.00
Green Acres Foundation (Seniors Requisition)		\$ 29,353.00
FCSS		\$ 14,190.00
Provincial Policing		\$ 70,460.00
Designated Industrial Property (DIP Requisition)		<u>\$ 172.00</u>
<b>Total Requisitions for 2022</b>		<b>\$ 656,231.00</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 142,636,920.00
Residential / Farm Land – Separate	\$ 17,851,920.00
Non-Residential / Linear – Public	\$ 27,946,990.00
Non-Residential / Linear – Separate	\$ 7,805,710.00
Machinery and Equipment – Public	\$ 1,761,350.00
Machinery and Equipment – Separate	<u>\$ 0.00</u>
<b>Total Assessment for 2022</b>	<b>\$ 198,002,890.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,129,854.00	\$160,488,840.00	7.04010
Non-Residential and M&E	\$ 323,746.00	\$ 37,514,050.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 364,406.00	\$142,636,920.00	2.55289
Non-Residential	\$ 108,451.00	\$ 29,287,809.00	3.70294
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 45,305.00	\$ 17,851,920.00	2.55289
Non-Residential	\$ 23,894.00	\$ 6,464,891.00	3.70294
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 29,353.00	\$198,002,890.00	0.14826
<b>FCSS</b>	\$ 14,190.00	\$198,002,890.00	0.07172
<b>Provincial Policing</b>			
Residential / Farmland	\$ 54,767.00	\$160,488,840.00	0.34125
Non-Residential	\$ 15,693.00	\$ 37,514,050.00	0.41832
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 172.00	\$ 2,241,360.00	0.07660
<b>GRAND TOTAL</b>	<b>\$ 2,109,831.00</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 25<sup>th</sup> day of April, 2022

Read a second time in Council assembled this 25<sup>th</sup> day of April, 2022

Council unanimously resolved to proceed to third reading this 25<sup>th</sup> day of April, 2022

Read a third time in Council assembled this 25<sup>th</sup> day of April, 2022

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 929-22

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw No. 862-17 Tax Penalty Bylaw".

2. AMENDMENTS:

3.1.1 Bylaw No. 862-17 shall return to:

Section 3.1 wording:

1. "A penalty of eighteen percent (18%) of the current tax levy shall be applied to any tax roll where the current tax levy remains unpaid after the tax payment due date shown on the Tax / Assessment Notice".

3. COMING INTO EFFECT:


- 3.1. This Bylaw hereby rescinds Bylaw No. 896-20 Amending Bylaw for Bylaw No. 862-17 Tax and Tax Penalty Bylaw.  
3.2. This Bylaw shall come into force and effect on the final day of passing thereof.

Read a first time in Council assembled this 09<sup>th</sup> day of May, 2022

Read a second time in Council assembled this 09<sup>th</sup> day of May, 2022

Council unanimously resolved to proceed to third reading this 09<sup>th</sup> day of May, 2022

Read a third time in Council assembled this 09<sup>th</sup> day of May, 2022



Mayor

SEAL

  
\_\_\_\_\_  
Chief Administrative Officer

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 931-22**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15 being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Picture Butte desires to amend the regulations and criteria of shipping containers (c-containers or sea containers) being used for temporary purposes and time periods within specific land use districts of the municipality, as described in Schedule A.

AND WHEREAS the general purpose of the proposed amendment is to address the following:

- Remove from all land use districts "Temporary shipping container" where it is listed as a Discretionary Use Type B, and add to all land use districts, with the exception of Direct Control, the use "Temporary shipping container" as a Permitted Use.
- Amend Part 3, Development Not Requiring a Development Permit, to add "Temporary shipping container" as a use that does not require a development permit if it is needed to temporarily accommodate the storage of goods where a building has been damaged in a fire or flood if the time period does not exceed 6-months.
- Amend Part 4, Standards of Development, Section 40 of the land use bylaw, specific standards and regulations applicable to Shipping Containers (temporary), by replacing subsection (4) of Section 40 to deal with temporary emergency situations (fire and flood of buildings), and add a new subsection (5) to outline criteria for non-emergency situations and construction sites, as described in Schedule A.

AND WHEREAS the bylaw must be adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No. 841-15 being the Land Use Bylaw, is hereby amended by Bylaw 931-22 to include the Shipping containers (temporary) amendments as described in the attached Schedule A.
2. Bylaw No. 931-22 shall come into effect upon third and final reading thereof.
3. Bylaw No. 931-22 is hereby adopted.

READ a **first** time this 28<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
Mayor - Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **second** time this 23<sup>rd</sup> day of January, 2023.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

READ a **third** time and finally PASSED this 23<sup>rd</sup> day of January, 2023.

  
\_\_\_\_\_  
Mayor - Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer - Keith Davis

## SCHEDULE A

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### Amendments to Land Use Bylaw No. 841-15 (by amending Bylaw No. 931-22)

#### **Amend and Remove from all land use districts where it is listed as a use:**

“Temporary shipping container” as a Discretionary Use Type B.

#### **Amend and Add to all land use districts, with the exception of Direct Control, the uses:**

“Temporary shipping container” as a Permitted Use.

Permitted Use
Temporary shipping container - see Part 3, No Development Permit Required and Part 4, section 40

#### **Amend Part 3, Development Not Requiring a Development Permit**

**Add clause no. 6 text that states the following:** Temporary shipping intermodal containers (c-containers or sea containers) that are needed to temporarily accommodate the storage of goods where a building has been damaged in a fire or flood do not need a development permit if the time period does not exceed 6-months from the time of placement on the property. (To exceed the 6-month period or for other types of temporary shipping containers, including those for interior renovations that are not associated with a situation where a building has been damaged in a fire or flood, do require a development permit, refer to Part 4, Section 40).

**Renumber text:** Part 3 existing clauses 6 and 7 shall be renumbered sequentially following the insertion of new number 6, to become numbers 7 and 8.

#### **Amend Part 4, Standards of Development, Section 40:**

**Delete** in its entirety existing subsection (4) of Section 40 and **replace** with the following text and standards:

- (4) A shipping container (c-container or sea container) placed temporarily on a property in the case of an emergency to temporarily accommodate the storage of goods where a dwelling or building has been damaged in a fire or flood in conjunction with salvation and renovation work being done to a building, does not need a development permit (refer to Part 3) subject to the following provisions:
  - (a) Temporary shipping containers associated with situations of fire or flood remediation do not need a development permit if the time period does not exceed 6-months. If additional time is required beyond the 6-months a development permit application must be applied for and approved by the Municipal Planning Commission.
  - (b) Temporary shipping containers for fire or flood remediation without a development permit being required may only be placed on a property in any land use district where it is listed as a permitted use;
  - (c) only one Temporary shipping container shall be placed on a property in any land use district at any one time unless otherwise authorized by the Development Authority;
  - (d) the shipping container associated with situations of fire or flood remediation shall be removed as soon as possible, but for a period not to exceed 14 days, upon completion of remediation work or construction or as may be required by the Development Authority;

- (e) the shipping container shall be sited entirely on the property and shall not encroach over property lines or municipal streets, lanes or sidewalks.

**Add** to Section 40 a new subsection (5) with the following text and standards:

- (5) A shipping (intermodal) container needed for the temporary storage of goods related to interior renovations that are not associated with a situation where a building has been damaged in a fire or flood, or is placed temporarily on a construction site for the period of construction, do require a development permit and are subject to the following provisions and standards:
  - (a) a temporary shipping container may only be placed on a property in any land use district where it is listed as a permitted use;
  - (b) the applicant must apply for and be approved for a development permit for a temporary use of a shipping container where it is to temporarily accommodate the storage of goods or materials;
  - (c) the Development Officer is authorized to issue a development permit for a permitted use with a maximum time period not to exceed 6-months. If additional time is required beyond the 6-months, a development permit application must be applied for and approved by the Municipal Planning Commission (MPC). The MPC shall stipulate the maximum time period it approves the temporary shipping container to be placed on the property beyond 6-months;
  - (d) the construction site must be active (i.e., construction has commenced, is on-going, or is about to commence within one week), as the placement of a temporary shipping container on an inactive construction site is prohibited;
  - (e) the shipping container shall be removed within 21 days upon completion of construction or sooner as may be required by the Development Authority;
  - (f) setbacks for a temporary shipping container shall be as required by the Development Authority and the container shall be located such that it does not encroach over property lines or into municipal streets, lanes or sidewalks;
  - (g) no advertising, other than the logo, name or information of the shipping (intermodal) container company or business supplying the container, is permitted to be displayed on the temporary shipping container;
  - (h) the Development Officer or Municipal Planning Commission may require at their discretion the provision of a security deposit by the applicant, to ensure the conditions of the development permit are met including the removal of the container at the end of the allowed for time period.



**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 932-23**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.


WHEREAS the purpose of the proposed amendment is to redesignate land legally described as: Lot 21, Block 5, Plan 1141FM, (643 Crescent Ave) from 'Residential – R1' to 'Residential Multi-unit – R5', as shown on the map in Schedule 'A' attached hereto to accommodate the development of a multi-unit rowhouse residential building;

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. The land described as Lot 21, Block 5, Plan 1141FM as shown on the attached Schedule 'A' be designated as Residential Multi-unit – R5.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 13 day of February, 2023.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**


  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **second** time this 27<sup>th</sup> day of February, 2023.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

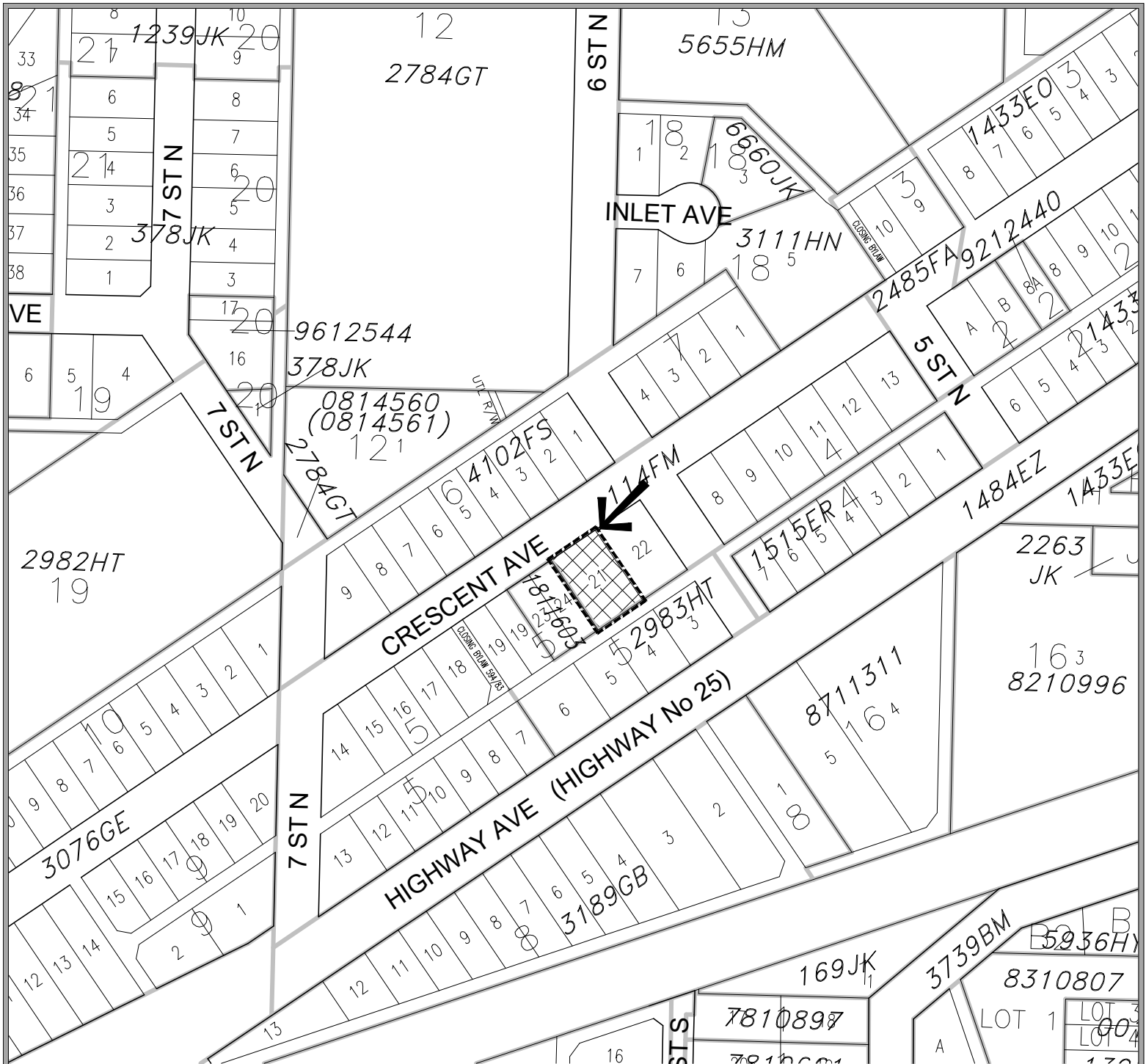
  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **third** time and finally passed this 27<sup>th</sup> day of February, 2023.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**





## LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: RESIDENTIAL – R1  
TO: RESIDENTIAL MULTI-UNIT – R5

LOT 21, BLOCK 5, PLAN 114FM  
WITHIN SE 1/4 SEC 3, TWP 11, RGE 21, W 4 M

MUNICIPALITY: TOWN OF PICTURE BUTTE  
DATE: JANUARY 27, 2023

Bylaw #: 932-23  
Date: \_\_\_\_\_



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

## TOWN OF PICTURE BUTTE

### BYLAW # 935-23

#### A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2023 TAXATION YEAR

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on May 08, 2023; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2023 total **\$5,493,665.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$3,882,785.00**, and the balance of **\$1,610,880.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 373,230.00	
Non-Residential	<u>\$ 107,155.00</u>	\$ 480,385.00
Opted Out School Boards:		
Residential / Farmland	\$ 46,680.00	
Non-Residential	<u>\$ 29,980.00</u>	<u>\$ 76,660.00</u>
Total School Requisitions		\$ 557,045.00
Green Acres Foundation (Seniors Requisition)		\$ 30,790.00
FCSS		\$ 15,440.00
Provincial Policing		\$ 75,000.00
Designated Industrial Property (DIP Requisition)		<u>\$ 175.00</u>
<b>Total Requisitions for 2023</b>		<b>\$ 678,450.00</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	Assessment
Residential / Farm Land – Public	\$ 157,811,820.00
Residential / Farm Land – Separate	\$ 19,853,970.00
Non-Residential / Linear – Public	\$ 31,547,640.00
Non-Residential / Linear – Separate	\$ 8,374,870.00
Machinery and Equipment – Public	\$ 1,816,610.00
Machinery and Equipment – Separate	<u>\$ 0.00</u>
<b>Total Assessment for 2023</b>	<b>\$ 219,404,910.00</b>

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,250,671.00	\$177,665,790.00	7.04010
Non-Residential and M&E	\$ 360,209.00	\$ 41,739,120.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 373,230.00	\$157,811,820.00	2.36347
Non-Residential	\$ 107,155.00	\$ 31,547,640.00	3.43501
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 46,680.00	\$ 19,853,970.00	2.36347
Non-Residential	\$ 29,980.00	\$ 8,374,840.00	3.43501
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 30,790.00	\$219,404,910.00	0.14033
<b>FCSS</b>	\$ 15,440.00	\$219,404,910.00	0.07037
<b>Provincial Policing</b>			
Residential / Farmland	\$ 58,295.00	\$177,665,790.00	0.32812
Non-Residential	\$ 16,705.00	\$ 41,739,120.00	0.40022
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 175.00	\$ 2,409,120.00	0.07230
<b>GRAND TOTAL</b>	<b>\$ 2,289,330.00</b>		

2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 08<sup>th</sup> day of May, 2023

Read a second time in Council assembled this 08<sup>th</sup> day of May, 2023

Council unanimously resolved to proceed to third reading this 08<sup>th</sup> day of May, 2023

Read a third time in Council assembled this 08<sup>th</sup> day of May, 2023

  
Mayor Cathy Moore

  
CAO Keith Davis

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 936-23**

BEING a bylaw of the Town of Picture Butte in the Province of Alberta, to amend Bylaw No. 841-15, being the municipal Land Use Bylaw.

WHEREAS the purpose of the proposed amendment is to redesignate land (Portion of NW 2-11-21-W4) legally described as:

MERIDIAN 4 RANGE 21 TOWNSHIP 11 SECTION 2 THAT PORTION OF THE NORTH WEST QUARTER LYING EAST OF THE ROADWAY ON PLAN 1621 EZ, AND NORTH OF THE ROADWAY AND RAILWAY ON PLANS 1662 EZ AND RW 189 RESPECTIVELY CONTAINING 29.88 HECTARES (73.83 ACRES) MORE OR LESS EXCEPTING THEREOUT: PLAN NUMBER HECTARES ACRES HIGHWAY 3726 EZ 1.44 3.56 AND CUT-OFF 3726 EZ 0.793 1.96 ROADWAY 171 IX 0.437 1.08 SUBDIVISION 9312024 8.217 20.30 SUBDIVISION 1411186 1.065 2.63 EXCEPTING THEREOUT ALL MINES AND MINERALS AND THE RIGHT TO WORK THE SAME (Certificate of Title No. 211193805001)


(located north of Factory Drive and east of Highway 25) from 'Rural Urban Fringe – RUF' to 'Industrial – I', as shown on the map in Schedule 'A' attached hereto to accommodate the future subdivision and development of industrial land with respect to the Picture Butte North Industrial ASP Bylaw No. 923-22;

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

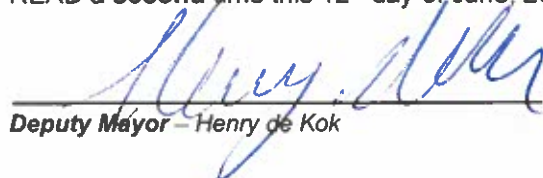
1. The land (Portion of NW 2-11-21-W4) legally described above on Certificate of Title No. 211193805001 and as shown on the attached Schedule 'A' be designated as Industrial – I.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a first time this 8<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a second time this 12<sup>th</sup> day of June, 2023.

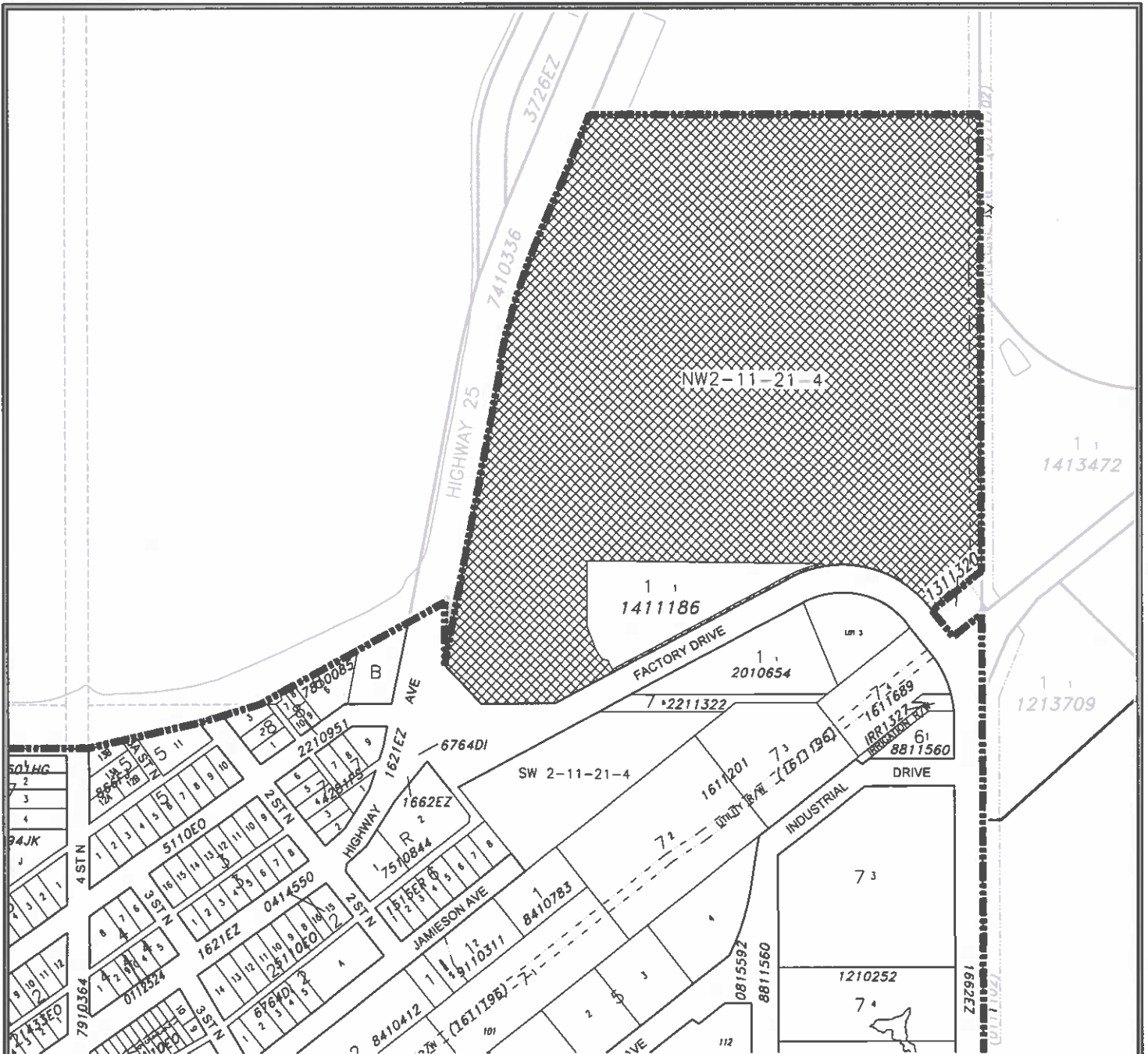
  
\_\_\_\_\_  
Deputy Mayor – Henry de Kok

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a third time and finally passed this 12<sup>th</sup> day of June, 2023.

  
\_\_\_\_\_  
Deputy Mayor – Henry de Kok

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis



## LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: RURAL URBAN FRINGE – RUF  
(Lethbridge County LUB No. 1404)

TO: INDUSTRIAL – I

PORTION OF NW 1/4 SEC 2, TWP 11, RGE 21, W 4 M

MUNICIPALITY: TOWN OF PICTURE BUTTE

DATE: MAY 5, 2023

Bylaw #: 936-23

Date: 20 June 2023



0 100 200 300 400 Metres

May 05, 2023 N:\Lethbridge-County\Picture Butte\Picture Butte LUD & Land Use Redesignations\Picture Butte - Ptn of NW 2-11-21-W4.dwg



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 937-23**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO AMEND THE NORTH INDUSTRIAL AREA STRUCTURE PLAN BYLAW No. 923-22.**

**WHEREAS** in accordance with Section 633 of the Municipal Government Act, RSA-2000, Chapter M-26, and all amendments thereto, the Council of the Town of Picture Butte deems it advisable to adopt amendments to the North Industrial Area Structure Plan Bylaw No. 923-22;

**AND WHEREAS** the purpose of proposed Bylaw No. 937-23 is to amend the existing plan and enable the redesign of the lot layout and road network of the plan area to enable future subdivision and development for highway commercial and industrial land within the north area of Picture Butte;


**AND WHEREAS** the municipality wishes to provide for orderly growth and development to occur;

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta hereby enacts as follows:


1. That the amendments to the North Industrial Area Structure Plan Bylaw No. 923-22 attached hereto as Schedule "A" and forming Bylaw No. 937-23 be adopted.
2. Final formatting and consolidation shall take place following the passage of the amending bylaw.
3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 26<sup>th</sup> day of June 2023.

  
\_\_\_\_\_  
Mayor – Cathy Moore


  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 28<sup>th</sup> day of August 2023.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 28<sup>th</sup> day of August 2023.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

**PICTURE BUTTE**

# **NORTH INDUSTRIAL AREA STRUCTURE PLAN**



**AUGUST 2023**



# TABLE OF CONTENTS

## North Industrial Area Structure Plan

<b>1. INTRODUCTION</b>	<b>3</b>
1.1 Purpose	3
1.2 Location and Background	3
1.3 Policy Direction	4
<b>2. DESIGN CONSIDERATIONS</b>	<b>7</b>
2.1 Existing Land Uses	7
2.2 Road Network	7
2.3 Utilities	8
2.4 Drainage	8
2.5 Further Industrial Land Use Considerations	8
<b>3. PLAN DESIGN AND POLICIES</b>	<b>10</b>
3.1 Type of Development	10
3.2 Lot Layout	10
3.3 Road Network	12
3.4 Utility Servicing	13
3.5 Storm Water Drainage	14
3.6 Municipal Reserve	15
3.7 Development Agreements	16
3.8 Design Guidelines	16
<b>4. IMPLEMENTATION</b>	<b>18</b>
4.1 Engineering Detail Plans	18
4.2 Reclassification of Land	18
4.3 Subdivision, Development and Servicing of Land	18
4.4 Development of Individual Parcels of Land	19

## **MAPS (Updated Maps in Appendix E)**

Map 1 – Location

Map 2 – Land Use Concept

Map 3 – Road Network

Map 4 – Lot Layout

Map 5 – Development Phasing

## **APPENDICES**

Appendix A – Highway Commercial Design Guidelines

Appendix B – Engineering Design Drawings

Appendix C – Transportation Impact Assessment

Appendix D - North Industrial Supporting Studies Review

Appendix E - Schedule A (Revised ASP Figures)

# 1. INTRODUCTION

## 1.1 PURPOSE

Council for the Town of Picture Butte is looking to ensure adequate land for future industrial and commercial growth. Currently there is limited marketable industrial land or highway commercial land within Picture Butte to accommodate new businesses. To address this issue, Council reached an annexation agreement with Lethbridge County to add almost 19 hectares (47 acres) of land to Picture Butte for highway commercial and industrial development. This annexation process was finalized in July 2020.

The addition of accessible and serviceable land into the Town boundaries will support economic growth and help to bring more balance to Picture Butte's taxes by increasing the percentage of the tax assessment that comes from non-residential land. Before this land is developed, however, it needs to be comprehensively planned. This Industrial Area Structure Plan (ASP or Plan) will include the following key elements:

- Policy and plan context
- Existing site and servicing conditions
- Design scheme including lot layout, density, road network and servicing
- Sequence of development and next steps

## 1.2 LOCATION AND BACKGROUND

The North Picture Butte Area Structure Plan (ASP) refers to lands in the north portion of the Town that were part of a recent annexation application submitted on November 17, 2019 to the MGB. The plan area is approximately 18.99 hectares (46.93 acres) and is located east of Highway 25 and north of an existing industrial subdivision in Picture Butte (see Map 1). The subject lands are made up of two parcels that are currently owned by the same individual (see Table 1).

**Table 1 - Parcels Within the Plan Area**

Parcel Number	Certificate of Title Number	Landowner	Legal Description	Ha	Ac
1	211193805001	RME VENTURES GP INC	Ptn. NW 2-11-21 W4M	18.64	46.05
2	211193805	RME VENTURES GP INC	Lot 1, Block 1, 1411186	1.07	2.64
Total				19.71	48.69

Picture Butte has had a steady growth rate over the last few decades. Based on the last 35 years of historic data, the Town has grown at an average rate of 0.77 percent per annum since 1981.

The 2018 Picture Butte Industrial Growth Study estimated that the Town may require approximately 4 to 5 acres of land for highway commercial development over the next 20 years and between 30 to 50 acres of land for industrial development over the next 25 years.

The addition of non-residential land to the Town will provide space for existing and new businesses to grow, while also addressing the tax assessment balance of non-residential to residential uses. At 81.2 percent, Picture Butte's residential percentage of the overall assessment is slightly higher than the average of 78.9 percent found in similar sized communities in Southern Alberta. The non-residential tax assessment of 16.5 percent for Picture Butte is below the average of 17.9 percent for similar communities. This ratio means that the commercial and industrial sectors of town are contributing slightly less to the municipal tax base than in other similar sized communities, which results in a higher tax burden for residential landowners.

### **1.3 POLICY DIRECTION**

Several plans support and guide the development of industrial and commercial land in Picture Butte. Relevant portions of plans that apply to this ASP are highlighted below.

#### **Picture Butte Municipal Development Plan (MDP)**

- The Town MDP was adopted in 2004 and requires updating
- The analysis when the MDP was written identified the following circumstances that have not significantly changed over the last 16 years:
  - there was no vacant land available to accommodate future Highway commercial development
  - there was approximately 87 acres of land designated for industrial activities
- The MDP suggested that when industrial expansion was warranted the logical directions for future growth would be to the north and east

#### **Picture Butte Municipal Sustainability Plan**

- High priority strategies include promoting business expansion and attraction (Economy pillar 5.4.1 a) and promoting the availability of non-residential land to potential purchasers (Economy pillar 5.4.2 a)
- Goal to maintain a balance of taxes at approximately 70 percent residential to 30 percent non-residential to help the Town maintain financial stability
- Long term objective to increase the inventory of serviced non-residential land available for purchase

#### **Lethbridge County and Town of Picture Butte Intermunicipal Development Plan (IDP)**

- The recent IDP created between Picture Butte and Lethbridge County identifies several areas adjacent to the Town that are suitable for growth, including the area covered by this ASP

- The growth area is targeted for industrial and highway commercial uses, with highway commercial development next to Highway 25 and industrial development in the remainder of the planning area. The following policies within the IDP refer specifically to development in this area:
  - *Further development and subdivision of this area will require consultation with Alberta Transportation as it is adjacent to the east side of Highway 25, and setbacks and access (including restrictions) onto the highway will need to be considered in the planning processes. (6.8.3)*
  - *An Area Structure Plan will be required prior to multi-lot subdivision or at the redesignation stage for development proposals submitted in compliance with the requirements of this Plan. Future road connectivity to adjacent lands (Planning Areas 4 and 5) must be considered and illustrated in the overall plan design. (6.8.5)*
  - *Area Structure Plans submitted by a developer/landowner must be professionally prepared at the developer's expense and shall comply with all relevant and applicable policies of this IDP. (Note: An ASP must address, including, but not limited to: conformity with planning documents, proposed land uses, lot sizes and density, access, transportation linkages, fire suppression, soil conditions, sub-surface conditions, storm water management, municipal reserve provisions, architectural controls, and all servicing (deep and shallow utilities), etc.). (6.8.6)*
  - *Developers shall provide and construct at their expense the required access, service roads, or major and minor roadways as needed in accordance with Alberta Transportation conditions, municipal requirements, and the transportation policies in Part 5, Section 5.3 of the Plan. The municipality having jurisdiction will use "Endeavor to Assist" agreements wherever possible to aid the initially developer to recoup planning/engineering costs that later developers may benefit from. (6.8.7)*
  - *Developers shall be responsible to provide at their expense Traffic Impact Assessments that may be required by Alberta Transportation for any major subdivision or development which may impact the provincial road network. (6.8.8)*
  - *When considering applications for redesignation, subdivision and/or development approval for industrial, business light industrial or commercial uses, all applications must meet the policy for minimum performance standards and development design guidelines as outlined in Appendix A of the Plan. (6.8.9)*

### **South Saskatchewan Regional Plan**

- *Provide an appropriate mix of agricultural, residential, commercial, industrial, institutional, public and recreational land uses; developed in an orderly, efficient, compatible, safe and economical manner. (8.11)*
- *Complement their municipal financial management strategies, whereby land use decisions contribute to the financial sustainability of the municipality. (8.17)*

## **2. | DESIGN CONSIDERATIONS**

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### **2.1 EXISTING LAND USES**

The plan area is made up of two lots under the same ownership and the land is undeveloped, except for parcel 2 which contains an existing shop building associated with an agri-business. To the north of the plan area is the Picture Butte Auction Market, which will be in operation for the foreseeable future. East of the plan area is undeveloped agricultural land. South of the plan area is Factory Drive and existing industrial development. West of the plan area is Highway 25 and beyond that is the Picture Butte Reservoir (see Map 1 – Location).

As part of the annexation process, the subject land was reviewed for environmental features that could be impacted by development. This review included examining provincial records of ESAs, Alberta wetland mapping, and a report on environmentally significant areas in the Oldman River Region<sup>1</sup>. As a result of this review, it was found that there are no sensitive environmental features that will be affected by designating land for highway commercial and industrial development in the plan area. Further environmental review may be required at the time of development.

### **2.2 ROAD NETWORK**

The plan area has two potential accesses, one off Factory Drive and one off Highway 25. Factory Drive is situated immediately south of the plan area located within the Town and there is currently a driveway to the existing agri-business.

Highway 25, located to the west of the plan area will remain within Lethbridge County and will continue to be maintained by Alberta Transportation. Currently there is an access north of the plan area off Highway 25 into the Picture Butte Auction Market. This access can be extended into a service road that runs parallel to Highway 25. Based on Alberta Transportation's standard distances between highway accesses, it is unlikely that another access will be granted between the Auction Market and Factory Drive. Alberta Transportation's requirements will need to be adhered to regarding connectivity to Highway 25 and the development of the service road. Any Transportation Impact Assessments as required by Alberta Transportation will need to be prepared as part of the detailed engineering process. An initial Transportation Impact Assessment is provided in Appendix C for information purposes (the final TIA to be included in Appendix C as part of this ASP shall be as approved by Alberta Transportation).

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<sup>1</sup> "Environmentally Significant Areas in the Oldman River Region – County of Lethbridge", prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988



Since the plan area is under a main single title, with the exception of the existing small 2.64 acre lot on Factory Drive, developing an internal local road network to serve future highway commercial and industrial lots should be straightforward.

### **2.3 UTILITIES**

The plan area is currently in an un-serviced state. Adequate provisions for future requirements of water, sanitary sewers, storm sewers, telecommunications, electrical and gas lines must be provided prior to development within the plan area.

The municipal sanitary sewer lines currently run along Crescent Avenue North and Highway Avenue North, ending before Factory Drive to the southwest of the plan area. A sanitary line does connect to Factory Drive off Railway Avenue, southeast of the plan area. Storm water lines currently run along Highway Avenue North, ending just after 2 Street North to the southwest of the plan area. Tie-ins will have to be made into this system to extend servicing to the additional proposed lots.

Gas and electrical services will also need to be extended and provided to the area. Shallow utilities such as telephone and possible cable service will also be required, however, the actual distribution facilities will likely be determined later in conjunction with Shaw and Telus. Utility companies usually require the developers to pay for line relocation, expansion and additional hook-ups.

### **2.4 DRAINAGE**

Storm water runoff within the Town of Picture Butte is currently conveyed through both minor and major drainage systems entirely to Piyami Coulee located in the southeast area of the Town. Runoff from the northeast quadrant of the Town generally slopes to the southwest.

The Town's minor storm water system consists of a piped system operating under gravity conditions, while the major system uses overland conveyance features in a form of ditches and swales. Existing land uses south of Factory Drive use a road drainage ditch and culverts to handle drainage. A storm water management system will be required to handle run-off from future development in the plan area.

### **2.5 FURTHER INDUSTRIAL LAND USE CONSIDERATIONS**

Highway commercial is development that provides services targeted to motorists, such as gas stations, restaurants, and business support services. An industrial district is one that is mainly devoted to the manufacture, storage and distribution of goods. Picture Butte can accommodate development within the plan area under the following existing land use districts in the Picture Butte Land Use Bylaw:

- Highway Commercial - C2 - High quality development of commercial uses adjacent to Highway 25 to serve local and regional customers
- Industrial – I – orderly industrial development that is compatible with other land uses

General requirements for industrial land use include:

- fast, easy and convenient access to good transportation facilities including rail, highway and possibly air
- an adequate supply of suitable land free from foundation and drainage problems
- an adequate and reliable supply of utilities and servicing, including water, storm sewers or waste water disposal, electricity and natural gas or other fuel
- protection from encroachment of residential or other land uses
- suitable location to minimize obnoxious external effects on neighbouring non-industrial land uses

The plan area does not border any existing or planned residential development and is therefore ideally suited to accommodate industrial uses. Parcels may need to be combined for larger lots depending on the needs of industries and businesses locating in either the highway commercial or industrial areas of the plan. Further subdivision to create smaller parcel sizes than those indicated in Map 4 should be carefully considered to ensure the capacity of the stormwater management system and the efficient delivery of servicing can still be met.

## **3. | PLAN DESIGN AND POLICIES**

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### **3.1 TYPE OF DEVELOPMENT**

There are two main land uses proposed for the plan area: highway commercial and industrial (see Map 2: Land Use Concept).

Highway commercial is suitable along Highway 25 to serve the commercial needs of those driving by as well as the industrial businesses in the area. Highway commercial use will form the smaller portion of the plan area. Industrial development is suitable for the remainder of the plan area. Industrial development should be more light than heavy in nature to be compatible with the adjacent commercial activities and provide opportunities for a range of businesses that support economic growth in Picture Butte.

#### **Land Use Policies**

- 3.1.1 Prior to development, landowners/developers shall redistrict land within the ASP area at their own expense to Highway Commercial and Industrial, or equivalent land use districts in the Town of Picture Butte Land Use Bylaw, based on the general layout of land uses in Map 2 – Land Use Concept.
- 3.1.2 Minor adjustments to the amount and location of highway commercial or industrial land uses will not require an amendment to this Plan. Significant changes to the amount or location of land uses from what is shown in Map 2 – Land Use Concept may require an amendment to this Plan and further servicing or planning studies, at the discretion of the Town.
- 3.1.3 Landowners/developers that develop highway commercial shall be required to demonstrate how they are meeting the development design guidelines in Appendix A, to the satisfaction of the Town.

### **3.2 LOT LAYOUT**

The plan area is approximately 46 acres and is currently two parcels under one owner.

The proposed lot layout (see Appendix E, Schedule A, Map 4) provides for 20 lots and takes into account the following considerations:

- new lots should be designed to serve the needs of a wide range of highway commercial and industrial uses
- lots should provide a range of sizes to accommodate different businesses and be able to be

combined if necessary, to accommodate larger developments

- highway commercial lots should have good visibility and be orientated to Highway 25 and Factory Drive
- lots should have access to a logical internal road network that has the potential to connect to adjacent land in the future

Appendix E, Schedule A shows 20 lots that can accommodate a variety of industrial development. The lots meet the minimum lot size requirements in the land use bylaw. The proposed lots are similar in size to many of the existing industrial lots on 2 Street South within the town. Businesses that require a larger or smaller area may combine adjacent lots or further subdivide large lots to meet their needs

The plan area may be developed in phases, based on market demand and servicing infrastructure plans. Map 5 – Development Phasing illustrates a potential two phase build-out scenario.

### **Lot Layout and Phasing Policies**

- 3.2.1 Lot layout and sizes shall generally conform to the lot layout shown in Appendix E, Schedule A.
- 3.2.2 Developers/landowners may combine or further subdivide lots at the subdivision stage if different lot sizes are required based on market demand without requiring an amendment to the ASP, at the discretion of the Town. If further subdivision of what is shown on the concept plan is proposed in the future, the developer will need to provide, as requested by the Town, an updated engineered storm water drainage analysis to confirm if the capacity of the storm pond can accommodate additional density.
- 3.2.3 Phasing of development shall generally be in accordance with Map 5 but may be phased differently based on the landowners/developers needs. Whatever phasing approach is taken, the landowners/developers shall provide adequate servicing and road infrastructure to accommodate the phase of development and connect to future phases.

### **3.3 ROAD NETWORK**

The integration of new roadways into existing roadways will be essential for logical and efficient development in accordance with engineering standards. The proposed road network shown in Map 3 – Road Network provides easy flow of traffic through the plan area and the potential to connect to undeveloped land in Lethbridge County to the east and north in the future. It is recognized that the town's IDP with Lethbridge County recognizes these lands within Lethbridge County could potentially allow for future development. The illustrated potential road is a method to provide future connectivity to the adjacent lands and a means for those areas to connect out to Highway 25.

There is an existing dedicated 30 m wide service road right-of-way on the land to the north, which is currently used for parking for the Picture Butte Auction Market. The internal road network will connect to this service road in the northwest corner of the subject site to provide access to Highway 25. The most northerly internal roadway could eventually be extended to the east if the adjacent land is ever developed. To ensure smooth flow of traffic and easy access to individual lots by truck and trailers, interior roads should have a minimum 20-metre right-of-way.

Factory Drive was recently upgraded in 2015 by the Town and Lethbridge County and should be sufficient to handle increased traffic in the industrial district. Industrial Drive South, Railway Avenue, and 2<sup>nd</sup> Street South are not fully developed and may need to be considered for paving in the future if traffic increases. Increased traffic may also occur along Highway 25 as it is the primary access route. An alternate truck route may be needed to prevent heavy traffic from travelling through the Town on Highway Avenue. Highway 519 may also experience an increase in truck traffic with the expansion of the industrial district in the Town.

#### **Road Policies**

- 3.3.1 All required engineering, survey work, subdivision or survey plans to facilitate the subdivision of land and provision of roads shall be at the expense of the landowners/developers. The landowner/developer will also be responsible for the costs associated with the construction of any required roads.
- 3.3.2 Landowners/developers shall dedicate a minimum 20 m road right-of-way, as stipulated in this Plan, at the time of subdivision. It is recognized that the Town will not be responsible for the purchase or acquisition of any road right-of-way in the Plan Area.
- 3.3.3. The provision of any required public roadways is to adhere to the land use concept as illustrated on Map 2 and Map 3 and is based on aligning with the existing and proposed road network through the area.

- 3.3.4 The asphalt road grade and base must be prepared and constructed to proper municipal specifications in accordance with the Town of Picture Butte’s engineering and servicing guidelines/standards.
- 3.3.5 Required new roads may be provided in stages (phased), at the discretion of the Town. When new roads are phased and do not yet connect, a temporary turnaround area (bulb) will be required and shall be registered with the subdivision plan as an access easement until such time that the road extension is provided and registered on a plan.
- 3.3.6 A Traffic Impact Assessment (TIA) may be required by Alberta Transportation as part of development of the Plan area, which is to be provided by the landowners/developers when requested.
- 3.3.7 An initial Traffic Impact Assessment prepared by ISL Engineering does not form part of the adopted ASP document until such time Alberta Transportation has reviewed the TIA and granted an approval (at which time it may be included in Appendix C and used for reference.)
- 3.3.8 The potential roads (Maps 2-5) illustrated as ‘road connections’ into Lethbridge County are shown as “future connections” with respect to long-term planning for connectivity, and in the interim, they will be undeveloped or developed as a turn-around bulb instead of a through road.

### **3.4 UTILITY SERVICING**

Municipal water and sewer services can be extended and looped through the new road network from existing lines on Highway Avenue North. Street lighting will also have to be provided by developers and distributed along the road network in the plan area. Town off-site levies and development fees will be applied to developers at the time of development in the Plan area.

The Town of Picture Butte receives treated potable water (under its licence) from the City of Lethbridge, which is stored in two underground treated water reservoirs within the Town. Water mains exist on Highway Avenue North and a connection to Factory Drive exists off Jamieson Avenue. To service the development area, the water distribution system must be looped and have a minimum number of dead end connections. Fire hydrants will be dispersed throughout the plan area where necessary and located on the road rights-of-way.

Sanitary sewer servicing connections are available at the intersection of Highway Avenue North and Crescent Avenue. Sewage flows by gravity into the wet well of the sewage lift station located in the south side of the Town. From the wet well, sewage is then pumped by a lift pump into the lagoon located south of the Town boundary in Lethbridge County. The lagoon likely has enough capacity for future development, however, further engineering studies are required to determine the capacity of the current system for this development area and potential tie-in points. The Town has completed previous studies that do illustrate future expansion needs.

All shallow utilities (electrical, telephone, gas, cable, etc.) shall be underground. The actual utility distribution facilities will be determined later in conjunction with ATCO Gas, Telus and Shaw Cable. The location of utility services will preferably be in the road rights-of-way, however, prior to subdivision, the landowner and the utility companies shall discuss servicing requirements in more detail.

Appendix D North Industrial Supporting Studies Review provides additional utility servicing information.

### **Utility Servicing Policies**

- 3.4.1 It is the responsibility of the landowner/developer to contact the various utility agencies regarding the provision of utility services and all shallow utilities shall be installed at the expense of the developer.
- 3.4.2 Any utility rights-of-way registered on lots shall be shared between utility providers and the rights-of-way plans and documents should be registered in the Town's name.
- 3.4.3 Landowners/developers shall be responsible for installing streetlights to municipal standards.
- 3.4.4 Landowners/developers shall be responsible for providing water and sanitary servicing connections to service their development. Landowners/developers shall reference the ISL engineering drawings in Appendix B to understand the water and sanitary servicing requirements. More detailed engineering plans may be required at the discretion of the Town prior to subdivision or development.

### **3.5 STORM WATER DRAINAGE**

Overall, the overland system within the Town of Picture Butte tends to drain adequately toward Piyami Coulee. The best way to add new development and continue to have adequate drainage management is by collecting storm water runoff in major trunk sewers and conveying it to a stormwater pond, where the release rate to the coulee or existing system can be controlled to the determined pre-development release rate.

The land within the plan area is generally flat but does slope slightly towards the east. The two lowest points in the plan area are in the north east and south east corners. Based on topography and the road network, the most logical location for a storm pond is in the southeast corner of the plan area. Map 2 – Land Use Concept shows the general location and size of a potential storm pond. The size and location of the storm pond has been examined through engineering to ensure suitability with grading and can accommodate the expected level of development in the plan area. The pond site should be designated as a public utility lot (PUL) at the subdivision stage, and



the final size may need to be adjusted at the subdivision stage, based on more detailed review of the required storage volume.

### **Storm Water Policies**

- 3.5.1 The required storm water management facility (SWMF) shall be in the general location and size as shown in Map 2 and shall refer to the ISL engineering drawings in Appendix B. Minor adjustments to the SWMF design or size shall be based on further detailed engineering work and will not require an amendment to this Plan. Significant changes to the size or location of the SWMF due to changes to lot layout or design may require an amendment to this Plan at the discretion of the Town.
- 3.5.2 As part of the Engineering Detail Plan, and prior to any subdivision approval, the landowners/developers shall provide at their expense a comprehensive engineered storm water management plan. All stormwater runoff from proposed development shall be accommodated in the planned SWMF. Individual storm water catchments on lots will not be accepted as part of a landowners/developers stormwater management plan.
- 3.5.3 Landowners/developers of the subdivision will be required to provide the mechanisms or infrastructure needed for storm water management, at their expense.
- 3.5.4 The required storm water management facility shall be dedicated as a Public Utility Lot (PUL) to the municipality as part of the subdivision plan registration.
- 3.5.5 If any drainage easements are needed for the functioning of the engineered storm water system and conveyance of drainage water, the securing and registering of those documents and plans shall be provided by the developer, to the satisfaction of the Town.

### **3.6 MUNICIPAL RESERVE**

As a primarily industrial/business area, there is limited need for park land within the ASP area. However, there is the possibility for municipal reserve land dedications for buffer strips between the highway commercial and industrial land uses or abutting the storm water management facility. Municipal reserve will be provided in accordance with section 666 of the *Municipal Government Act* at the time of subdivision.

### **Municipal Reserve Policies**

- 3.6.1 Unless otherwise specified and agreed to by the Town, municipal reserve will be provided as cash in lieu of land. An exception to this is where dedicated land may be provided for buffer strips between highway commercial and industrial development or around the stormwater management facility. If buffer strips are provided, they should be a minimum of 6 meters in width to accommodate a public pathway and landscaping on either side.

- 3.6.2 If land is developed in phases, a deferred reserve caveat may be considered by the municipality and registered on title to be addressed at future subdivision stages.

### **3.7 DEVELOPMENT AGREEMENTS**

At the time of subdivision, the landowner/developer will be required to enter into a development agreement which will establish the road construction requirements and the assignment of costs.

#### **Development Agreement Policies**

- 3.7.1 The landowner/developer shall be required to enter into a Development (Service) Agreement with the Town of Picture Butte. The landowner shall be responsible for all development and servicing costs, and any applicable municipal infrastructure associated with servicing the subdivision or development proposal.
- 3.7.2 The Town will specify through the terms of the Development Agreement the obligations on the developer for the provision of required infrastructure necessary to serve the subdivision or Plan Area, and the specified standards of such infrastructure.
- 3.7.3 The provision of sufficient security, in a form and amount acceptable to the municipality, may be required in conjunction with a Development Agreement with the Town at the time of subdivision and/or development applicable to covering the costs of installation of any required infrastructure to service the development, particularly as it applies to the construction of any required roadways and storm water drainage management system works.
- 3.7.4 Any applicable costs owed to the Town by the landowners for the associated planning and engineering expenditures the municipality up-fronted to develop this Plan, shall be applied through the terms of the Development Agreement. These are to be paid to the Town at the time of subdivision or development and will be calculated on a per acreage basis.

### **3.8 DESIGN GUIDELINES**

To ensure a high quality of development occurs, the landowner/developer will be required at the time of redesignation, subdivision and development to address landscaping and design guidelines. (Appendix A)

- 3.8.1 The Town will require architectural controls to be prepared for internal industrial lots to the municipality's satisfaction and registered on title at the time of subdivision to ensure a high quality of development occurs.
- 3.8.2 In addition to the guidelines outlined in Appendix A, architectural controls will be required at the time of redesignation and are to be registered on title at the time of subdivision for commercial/industrial land use adjacent to Highway 25, in accordance with the 'Highway Commercial Design Guidelines' of the IDP with Lethbridge County for land along the IDP identified highway entranceways.

## **4. | IMPLEMENTATION**

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### **4.1 ENGINEERING DETAIL PLANS**

After the Area Structure Plan has been adopted by Council, landowners/developers will be responsible, at their expense, for preparing additional Engineering Detail Plans prior to applying for redesignation or subdivision to the satisfaction of the Town.

The Engineering Detail Plan will typically include more detailed engineering information pertaining to road networks, drainage and storm water management, utility provisions and rights-of-way, fire suppression, geotechnical and soils analysis, and exact lot dimensions. The Lot Grading Plan, or portion of the plan if combined with the overall storm plan, should specify design elevations, surface gradients, lot types, swale locations, and other drainage related information required for lot grading as well as establish the drainage relationship between adjacent properties.

### **4.2 REDISTRICTING LAND**

Most of the land within the Plan area is currently designated Rural Urban Fringe (RUF), which is a land use district under the Lethbridge County Land Use Bylaw and will need to be redistricted to either Highway Commercial (HC) or Industrial (I) under the Picture Butte Land Use Bylaw. The process for redistricting land, as outlined in the Municipal Government Act, provides for advertising of the proposal and holding a public hearing where affected landowners may comment on the proposal. As per the Lethbridge County and Town of Picture Butte Intermunicipal Development Plan, the proposed redistricting shall also be referred to Lethbridge County for comment. Council will make the final decision to redistrict a parcel and there is no appeal of this decision.

Slight deviations in the proposal in terms of the lot layout may be allowed, provided they are acceptable to Council. However, the overall design scheme laid out in the Area Structure Plan including the density, road network and SWMF design should be adhered to.

### **4.3 SUBDIVISION, DEVELOPMENT AND SERVICING OF LAND**

After a parcel of land is redesignated as either Highway Commercial or Industrial, the landowner may apply for subdivision of the parcel into separate titles. The landowner or developer will have certain costs to consider associated with the subdivision process, including:

- ❑ Subdivision application fees, survey costs and registration costs.
- ❑ Providing municipal reserve where applicable by land or cash in lieu of land in an amount not exceeding 10 percent of the acreage of the parcel being subdivided or 10 percent of

the per acre value of the parcel being subdivided. It is assumed that municipal reserve will be provided as cash in lieu of land.

- ☐ Developers will be required to enter into a Development Agreement with the Town of Picture Butte related to providing infrastructure to service the plan area.
- Developers will be required to provide the following infrastructure to the Town's specifications to adequately service the area:
  - water mains and service connections,
  - sanitary sewer mains and service connections,
  - storm sewer mains and service connections,
  - overland drainage system,
  - paved roadways complete with curb and gutter,
  - natural gas (ATCO Gas),
  - electrical and street lighting (Fortis and AltaLink),
  - telephone (Telus), and
  - cable television (for internet purposes) (Shaw Cable).
- ☐ Town off-site levies and development fees (that also helps cover costs for Town engineering and planning costs associated with the preparation of this ASP) will be applied to developers of the area at the time of development.
- ☐ The engineered storm water management plan must be submitted and receive approval under the provincial Water Act by AEP.
- The Town, at its discretion, may require architectural controls to be prepared to the municipality's satisfaction and registered on title to ensure a high quality of development occurs. For the highway commercial development adjacent to Highway 25, this will be required in accordance with the IDP with Lethbridge County and the Highway Commercial Design Guidelines.

#### **4.4 DEVELOPMENT OF INDIVIDUAL PARCELS OF LAND**

Once the plan area has been subdivided, the necessary infrastructure in place, conditions met and separate titles issued, the landowner can apply to the Town of Picture Butte for a development permit. The development permit can be applied for on an individual lot, for a permitted or discretionary use as listed in either the Highway Commercial or Industrial district.

The development approval process will include the following:

- ☐ The landowner will be required to submit an application form, a fee, a site plan showing the location of the building on the lot, building plans and a grading plan.

- ⑦ Once the application, applicable fee and any required information have been submitted, the designated officer or the development authority will review and make a decision on the application.
- ⑦ If a proposed development conforms to this Plan and the land use bylaw, the designated officer shall issue a development permit with or without conditions. If the application is for a development permit for a discretionary use the designated officer shall send the application to the development authority for a decision. In this instance, the development authority shall notify persons likely to be affected by the issuing of the development permit.
- ⑦ The development authority may require that as a condition of issuing a development permit, the applicant enter into a development agreement with the Town of Picture Butte in regards to the provision of infrastructure services or pay for an off-site levy.
- ⑦ The landowner should be aware of the location of any underground services present before any excavation work is commenced. In addition, the person to whom a development permit has been issued shall notify the designated officer following the stake out of the site but prior to the commencement of construction.
- ⑦ The applicant must commence the development within 12 months from the date of issuance of the permit, unless the development permit is suspended or cancelled; otherwise the permit is no longer valid.

## APPENDIX A.

# HIGHWAY COMMERCIAL DESIGN GUIDELINES

As shown in Map 2 - Land Use Concept highway commercial development is proposed along Highway Avenue (Highway 25) on the west side of the plan area. This is also the entrance to the Town of Picture Butte if you are arriving from the north. As an entrance to the community, it is important that development along the highway is welcoming and aesthetically pleasing. The below are important guidelines that shall apply at the subdivision and development permit stage for highway commercial development. In addition to these standards, the Lethbridge County and Town of Picture Butte IDP Bylaw No. 18-009 & 865-18 also contains more comprehensive guidelines that are to apply to highway commercial development.

### BUILDING AND SITE DESIGN

1. To prevent large, blank walls on buildings the following elements shall be encouraged:
  - a. Articulation of buildings through projections, recesses, parapets etc.
  - b. Transparency through window glazing
  - c. The use of colour and high-quality finishing materials
2. Parking lots shall be located to the side or rear of the principle building where possible. If parking is in the front of the principle building, landscaping, hardscaping and pedestrian walkways shall be used to break up large areas of parking.
3. Ancillary or accessory buildings shall be designed, constructed and finished in a manner that compliments the character and appearance of the principle building(s) on the same lot.
4. Accessory buildings shall be located in the rear or side yard.
5. Storage is encouraged to be located inside buildings where possible. Outside storage shall not be located in the front yard. Outside storage may be located in the rear or side of a principle building but shall not be located within the side or rear yard setback. Outside storage shall be visually screened all year long from Highway 25.
6. Outside display areas are allowed if they are limited to examples of equipment, products, vehicles or items sold by the commercial or business light industrial use located on the same site. Outdoor display areas shall not be located within any required setback or landscaping area.
7. Vehicles or equipment that is in a dilapidated or dismantled condition shall not be allowed to remain outside a building or on a vacant lot within the highway commercial area.



8. Lighting shall be used that accommodates both vehicles and pedestrians. Lighting should be of an appropriate height, scale and quantity to function well for the site without creating excessive light pollution. Night sky lighting that directs light towards the ground should be used wherever possible.
9. Directional signage should be clear and easy to read by both motorists and pedestrians and should be uniform with other signage in the area. Signage shall not incorporate any repeated flashing, strobing, intermittent or animated illumination. Large signs should be placed in areas that do not obstruct the view of motorists at intersections.
10. In addition to the above guidelines, highway commercial lots in the southwest corner of the Plan area (as outlined in orange on the map below) shall adhere to the following additional design guidelines:
  - a. Buildings and main signage shall be orientated to Highway 25 and Factory Drive rather than to the internal road network.
  - b. Site access shall be from the interior road network and parking shall be located to the rear or side of the lot.
  - c. If unique circumstances require orientation of the building to the internal road network and make it difficult to meet guideline 10.a and 10.b, the applicant shall show how they are addressing the look of their buildings and property from Highway 25, through architectural details, landscaping/hardscaping, signage, and screening of storage and garbage. Design elements shall contribute to a welcoming entrance into Picture Butte, to the satisfaction of the Development Authority.



## LANDSCAPING

11. A professionally prepared high-quality landscape plan shall be provided for highway commercial development to the satisfaction of the Development Authority.

12. The following landscape features may be used where appropriate to mitigate noise, buffer uses, or provide screening of outside storage, utilities, waste or garbage equipment:
- Noise-reducing berms or barriers
  - Vegetated stormwater swales
  - Hedges or tree-lined areas
  - Fences, only where natural vegetation would not work due to site constraints
13. Security fencing shall be limited to side and rear yards and visually screened with landscaping. Security fencing shall be located behind the landscape buffer so that the landscaping is visible from the street or adjacent parcels. Fencing in front yards should be limited to decorative use only and should not visually obstruct the principle building.
14. Landscape materials shall be selected with an emphasis on quality, durability and maintenance, including the following considerations:
- Weather resistant materials, such as stone, concrete, corrosion-resistant metals, and pressure-treated lumber should be favoured over less durable products to ensure the longevity of landscape features.
  - Drought-tolerant perennial plants should be favoured over high-maintenance annuals and should be suitable to the region's climate and hardiness zone.
  - Xeriscaping (drought resistant plants, and the use of hardy trees, rocks and mulch) is encouraged to reduce maintenance costs, reduce the amount of irrigation required, and ensure a visually appealing landscape year-round.
  - Attractive hardscaping may be used including walkways, retaining walls, paved areas, or other similar structures incorporated in the built environment as a replacement to horticultural elements.

## **SIGNAGE**

15. Billboards and third-party signage are not permitted in accordance with the Lethbridge County and Town of Picture Butte IDP Bylaw No. 18-009 & 865-18.
16. All other signage shall be as per the standards of the Town of Picture Butte Land Use Bylaw and in accordance with any requirements of Alberta Transportation.

## **APPENDIX B. | Engineering Design Drawings**

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## **APPENDIX C. | Transportation Impact Assessment**

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Will be inserted upon approval from Alberta Transportation

## **APPENDIX D.**

# **North Industrial Supporting Studies Review**

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416B Stafford Drive South, Lethbridge AB T1J 2L2, T: 403.327.3755 F: 403.327.3454

To: **Rocky Mountain Equipment**

Date: **June 20, 2023**

Attention: **Jason Carter**

Project No.: **28286**

Cc:

Reference: **North Industrial Supporting Studies Review**

From: **Jason Warkentin**

Further to our pre-application discussions with the Town of Picture Butte and ORRSC, we have reviewed the changes to the Picture Butte North Industrial Area Structure Plan (ASP) which will be required to accommodate the revised concept.

## SERVICING:

We have revised the servicing plan and it is updated to reflect the revised lot layout, please see the attached exhibit. Although the servicing layout within the proposed subdivision is modified from the previous lot layout provided in 2020, the connection points and alignments outside the development area for water, sanitary and storm remain the same.

The following text has been added to the ASP as track changes and the revised figures showing the updated concept plan have been provided as Schedule A, to be attached to the ASP document.

- The water system will be connected to the main located at the north end of Crescent Avenue, approximately 40 metres west of the intersection of Highway 25 and Crescent Avenue. A 300 mm diameter HDPE water main will be installed under Highway 25 by direct drill to allow Highway 25 to remain in service during construction. The watermain will continue along the east property line going north along Highway 25 to connect to the future roadway 400 metres north in the new development. A stub connection will be installed on the east side of Highway 25 and Factory Drive to allow for future looping along Factory Drive. Fire hydrants will be located to provide adequate coverage in the road right-of-way.
- The sanitary sewer will consist of a gravity system connected to a lift station with a forcemain. The forcemain will be connected to the sanitary manhole located near the water main tie-in location at the north end of Crescent Avenue east of Highway 25. The forcemain will be installed by direct drill under Highway 25 and will follow parallel to the watermain on the east side of the property line along Highway 25 to the future roadway. Lot service connections and the sanitary main system will drain by gravity to the lift station so it can be pumped to the manhole at the tie-in location.
- The storm system will consist of ditches and culverts that will drain by gravity to the Storm Water Management Facility (SWMF) on the southeast corner of the development. The SWMF will consist of a wet pond with an outlet pipe that will limit the storm runoff rate to pre-development flow rate as per Alberta Environment guidelines. Individual lots will drain towards the roadways by swales or ditches along property lines so it can be conveyed to the SWMF, which will drain to the ditch at Township Road 110B and Factory Drive.



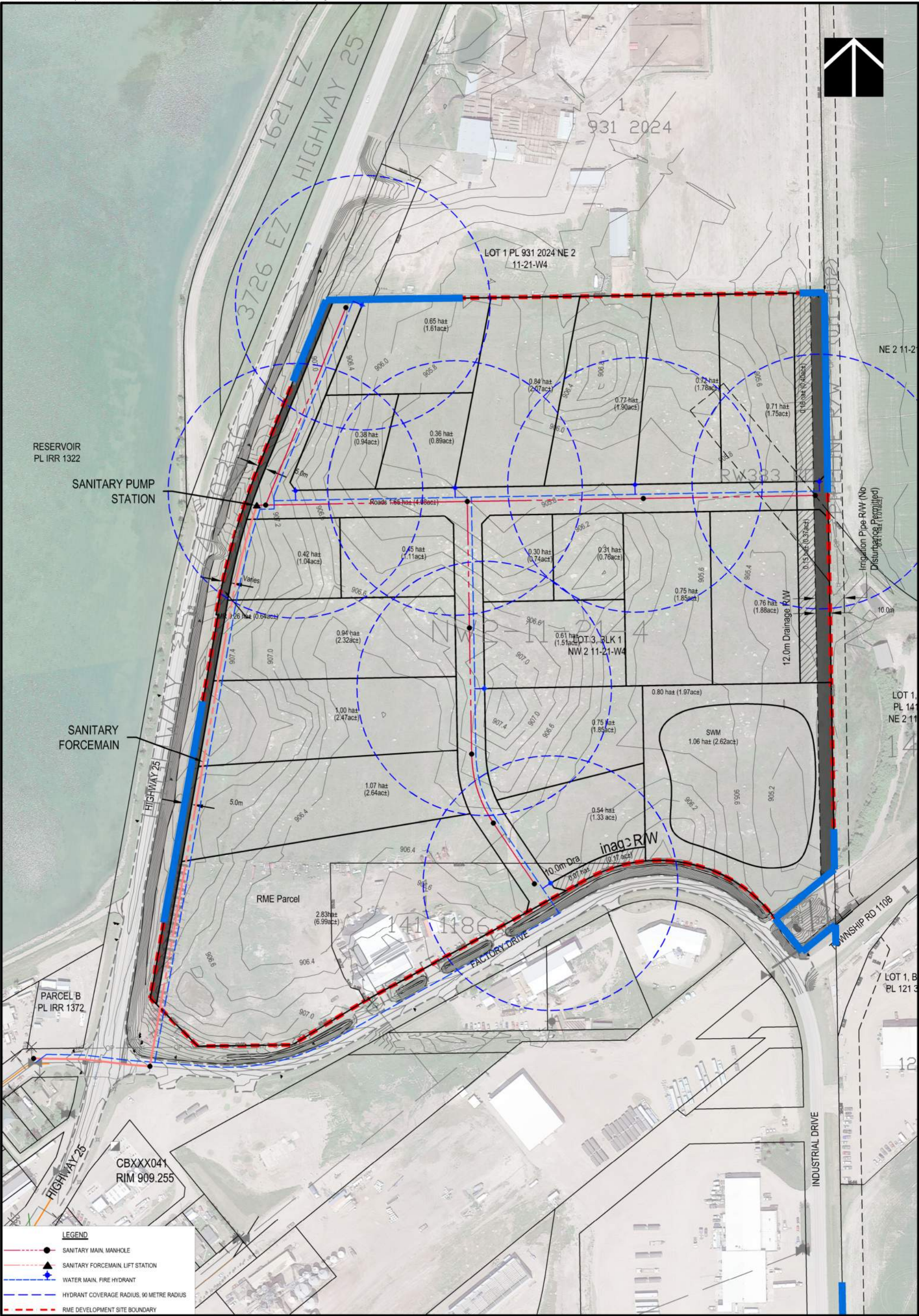
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### TRANSPORTATION:

ISL engaged with Alberta Transportation and Economic Corridors (ATEC) to confirm whether an update to the 2020 Transportation Impact Assessment is required as a result of the revised Land Use Concept. ISL is currently waiting for a response from ATEC and will advise the Town of their decision when a response is received.

Regarding the roadway system, the site distance for the proposed intersection on Factory Drive does not meet the ATEC recommendations for intersection sight distance for a WB-21 vehicle, however, it has been deemed by ISL to be acceptable given the limited access opportunities. We are recommending additional signage to indicate trucks turning and possibly lowering the speed limit around the curve.



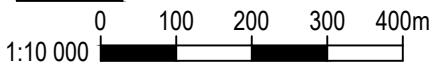




## **APPENDIX E.**

# **ASP Schedule A (Revised ASP Figures)**

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Integrated Expertise, Locally Delivered

Town Boundary

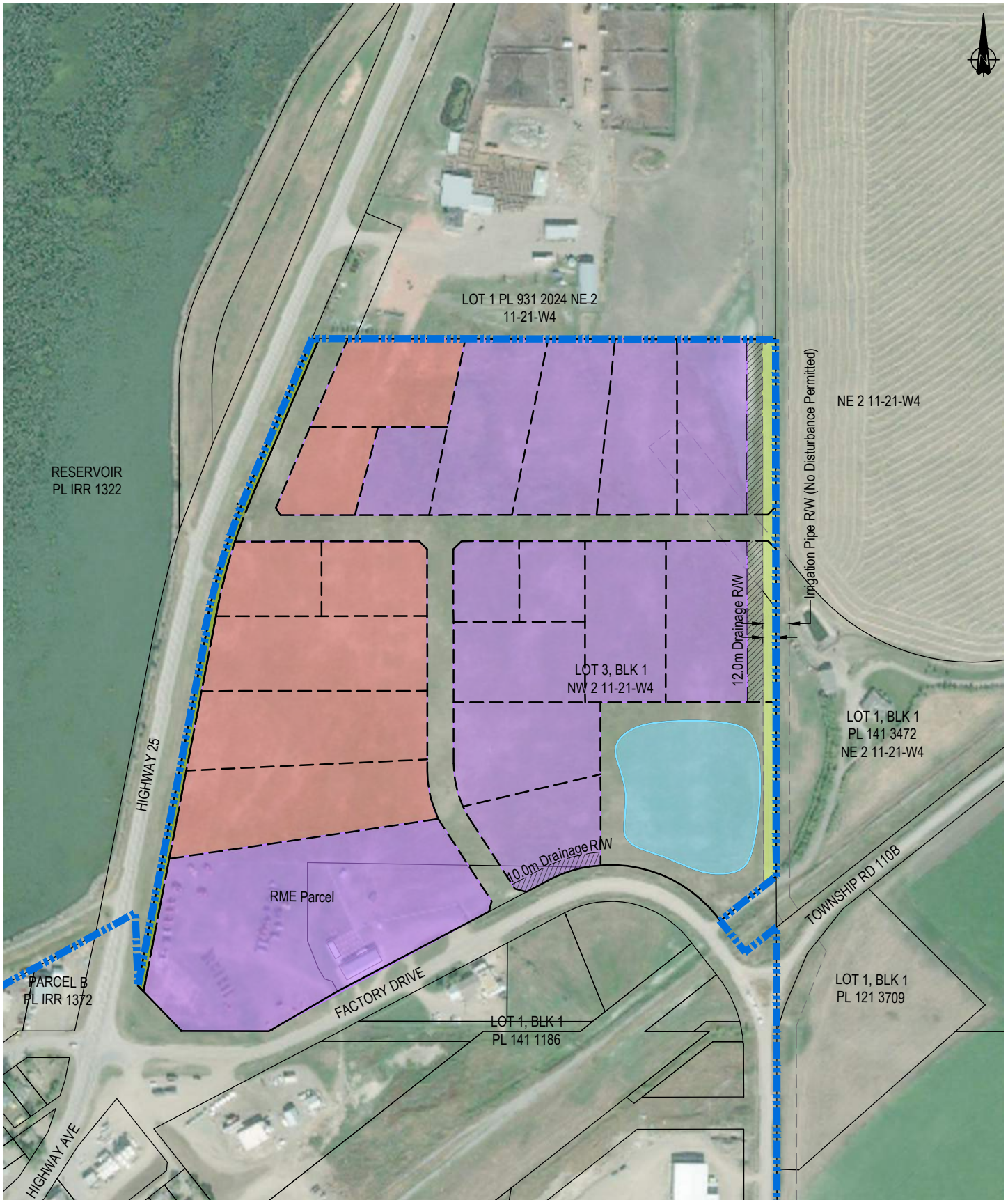


Area Structure  
Plan Boundary



Town of Picture Butte  
North Industrial  
Area Structure Plan  
Map 1  
Location Plan  
June 2023



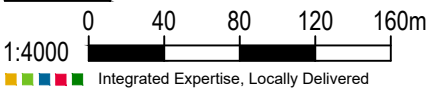
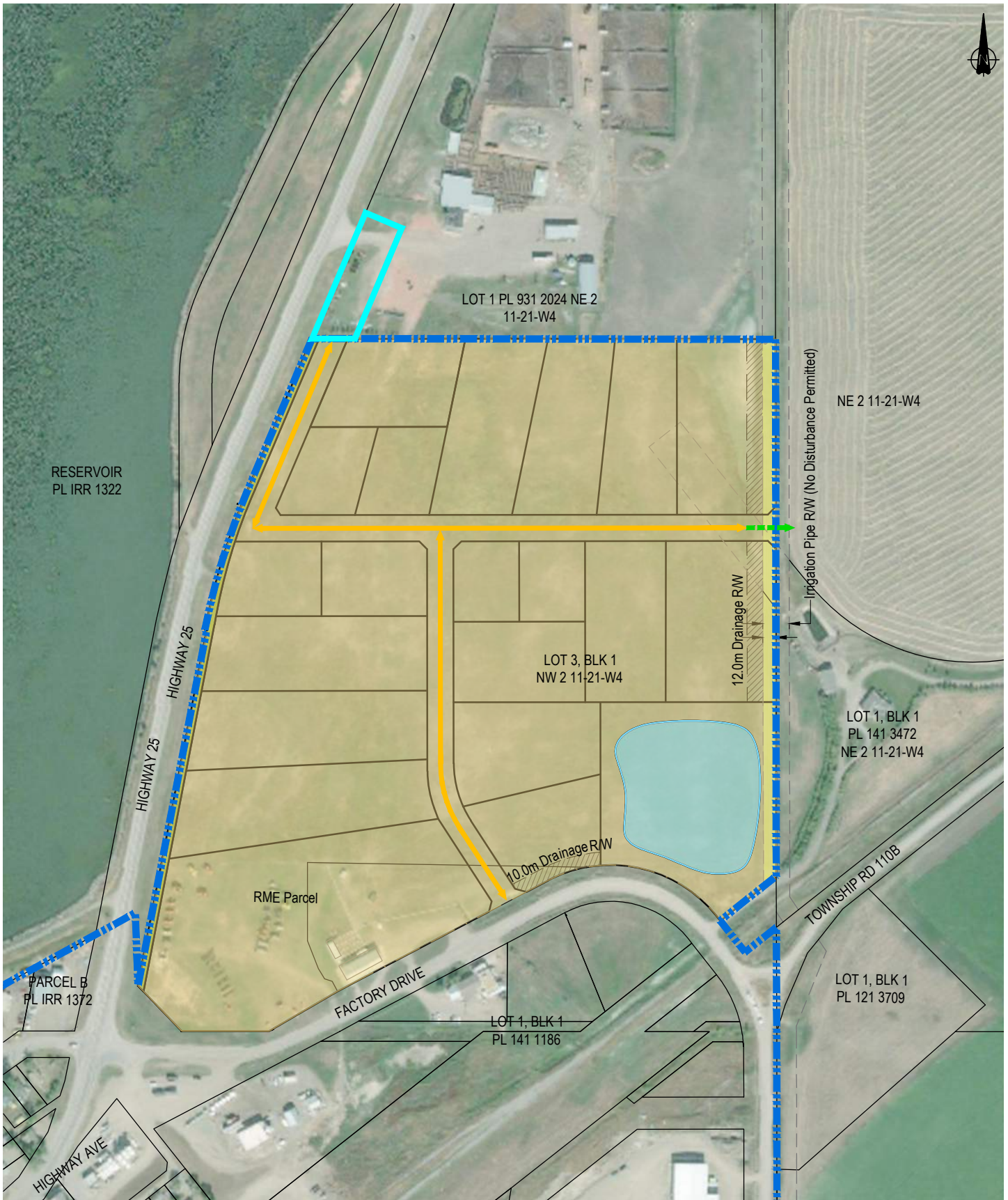


- Town Boundary
- Proposed Stormwater Management Facility
- Mixed Use - Highway Commercial / Industrial
- Industrial
- Drainage Right-of-Way



Town of Picture Butte  
North Industrial  
Area Structure Plan  
Map 2  
Land Use Concept  
June 2023





- Town Boundary
- Proposed Stormwater Management Facility
- Area Structure Plan Area
- Existing Service Road
- Proposed Road Connection
- Future Road Connection

**Town of Picture Butte**  
**North Industrial**  
**Area Structure Plan**  
**Map 3**  
**Road Network**  
 June 2023











**TOWN OF PICTURE BUTTE  
BYLAW NO. 938-23**

**BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE LICENCING OF CERTAIN BUSINESSES, TRADES, PROFESSIONS AND OCCUPATIONS.**

**WHEREAS** the Municipal Government Act R.S.A. 2000, Chapter M-26 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes; and

**WHEREAS** pursuant to Section 7 of the Municipal Government Act, Council may pass bylaws for municipal purposes respecting businesses, business activities, and persons engaged in business; and

**WHEREAS** pursuant to section 7(i) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein; and

**WHEREAS** pursuant to section 8 of the Municipal Government Act, a Council may in a bylaw:

- a. Regulate or prohibit;
- b. Deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways; and
- c. Provide for a system of licenses, permits or approvals, including any or all of the matters listed therein;

**NOW THEREFORE** the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as "The Business Licence Bylaw" of the Town of Picture Butte.

**2. DEFINITIONS**

2.1 In this Bylaw unless the context otherwise requires:

1. "Applicant" means a person who applies for a licence or renewal of a licence required by this Bylaw.
2. "Application" means a written application for a business licence as provided for by this Bylaw.
3. "Business" includes any trade, profession, industry, occupation, employment or calling and the providing of goods and/or services.
4. "Business licence" means a licence granted pursuant to this Bylaw.
5. "Business premises" include the store, office, warehouse, factory, building enclosure, yard or other place occupied or capable of being occupied for the purpose of carrying on a business in accordance with the Town of Picture Butte Land Use Bylaw.
6. "Charitable organization" means a recognized organization set up to represent a legitimate charity or for the promotion of general social welfare and includes:
  1. a religious society or organization
  2. a service club
  3. a community, veteran's or youth organization
  4. a social, sport or fraternal organization or club.
7. "Chief Administrative Officer" means the person who is appointed by Bylaw to this position for the Town of Picture Butte.
8. "Council" means the Municipal Council of the Town of Picture Butte.
9. "Enforcement Officer" means the Town of Picture Butte Chief Administrative Officer, a member of the Royal Canadian Mounted Police, a municipal Police Officer, Police Constable, Bailiff, Constable, Bylaw Enforcement Officer or other person employed for the prevention of disorder and maintenance of the public peace.
10. "Hawker or peddler" means a person not being a body corporate and who whether as principle or agent:
  1. Goes from house to house selling or offering for sale any merchandise or services or both, to any person and who is not a wholesale or retail dealer in such merchandise or services, and not having a permanent place of business in the Town of Picture Butte.
  2. Offers or exposes for sale to any person by means of samples patterns, blueprints of merchandise or services of both to be afterwards delivered and shipped in the Town of Picture Butte.

3. Sells merchandise or services, or both on the streets or roads or elsewhere than at a building that is his permanent place of business including a person selling meat, fruit or other produce raised or grown by himself and a person selling fish of his own catching.
4. "Home occupation" means an occupation carried on in a residence by one or more members of a family actually occupying the said residence as a dwelling and for which the Enforcement Officer has approved the operation of a business from the dwelling.
11. "Land Use Bylaw" means the current Town of Picture Butte Land Use Bylaw.
12. "Licencee" means a person holding a valid and subsisting licence granted pursuant to the provisions of this Bylaw.
13. "Licence year" means the period commencing January 1st and ending December 31st each year.
14. "Non-resident" means a person, firm or occupation who does not operate their business, trade, profession or occupation from a taxable business premises within the Town of Picture Butte and who does not reside within the Town of Picture Butte.
15. "Resident" means a person, firm or corporation within the Town of Picture Butte who operates their business, trade, profession or occupation from a taxable premise and/or taxable business premise located within the Town of Picture Butte.
16. "Town" means the Municipal Corporation of the Town of Picture Butte or the area contained within the Town boundaries, as the context requires.
17. "Transient trades" means the business carried on by any person who does not ordinarily maintain within the Town a permanent place of business and who as a principal or agent buys or offers to buy, direct from the producer thereof any merchandise or service or both.
18. "Violation Ticket" means where an Enforcement Officer, or other official of the Town of Picture Butte believes that any person has committed a breach of any of the sections of the Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta
19. "Farmers' Market" means an open air or fully or partly covered market, for the sale of goods directly by the producers, or their representatives who are involved in the production, of local fresh, dried or frozen fruit and vegetables, local dried or frozen meat and seafood, local eggs, local dairy products, local plants, locally prepared and ready to eat foods and local artisan crafts.
20. "Flea Market" means the carrying on a business to organize a group of more than three (3) merchants, vendors or participants, to gather in one location or building to offer handcrafts, produce and vegetables, food, new and used goods, wares, merchandise or services for sale for time periods of seven (7) days or less in duration.

### **3. ENFORCEMENT OFFICER**

- 3.1 The Council will appoint an Enforcement Officer to carry out the provisions of this Bylaw.
- 3.2 The duties of an Enforcement Officer are to:
  1. Receive and consider applications for a business licence
  2. Conduct investigations with regard to proposed applications.
  3. Conduct inspections of business premises.
  4. Collect business licence fees pursuant to this Bylaw.
  5. Grant or refuse a business licence.
  6. Revoke business licences where deemed appropriate and necessary.
  7. Initiate legal court action for violations of this Bylaw.

### **4. LICENCE APPLICATIONS**

- 4.1 Every person applying for a business licence shall apply in writing, using the prescribed form, to the Enforcement Officer at the Town Office.
- 4.2 The application must be:
  1. Completed in full,
  2. Signed by the applicant, or in case of a corporation its duly appointed agent, and
  3. Accompanied by the appropriate application fee.
- 4.3 All resident charitable organizations shall be exempt from any requirement to hold a licence established by this Bylaw unless they are carrying on a

- commercial business.
- 4.4 Flea Market Business Licences fees shall be levied per event.

## **5. INSPECTION**

- 5.1 Where a business or its location, or locations, require an approval or certificate under this Bylaw or any other Bylaw of the Town of Picture Butte, or any Provincial or Federal Statute, the location(s) where the business is to be carried on, including the land and buildings, therefore, may be inspected by those persons, inspectors and departments whose approval or certificate is required.

## **6. CONDITIONS OF BUSINESS LICENCE**

- 6.1 Business Licences will be issued subject to:
1. Licensing requirements of Provincial or Federal Statute.
  2. Compliance with any other Bylaw of the Town of Picture Butte.
  3. Any other condition that may be deemed appropriate.
  4. The payment of the proper fee as provided by this Bylaw.
  5. Approval by the Enforcement Officer or anyone designated to act on his behalf.
- 6.2 No person shall carry on or operate any business within or partly within the Town without holding a valid business licence issued pursuant to the provisions of this Bylaw, unless specifically exempted by law.
- 6.3 Every business licence issued under this Bylaw shall be posted in a conspicuous place in the business premises of the said licence.
- 6.4 Persons wishing to carry on or engaged in any business in respect of which a licence is required under this Bylaw, shall upon request of the Enforcement Officer, provide all information necessary to enable him to carry out his duties.

## **7. TERM**

- 7.1 Every business licence issued under the provisions of the Bylaw unless revoked shall terminate at mid-night on the 31st day of December of the licence year in which the said licence is issued.
- 7.2 The fee payable for a business licence between the 1st day of January and the 31st day of December in any licence year shall be the licence fee for the full year.

## **8 TRANSFER OF A BUSINESS LICENSE**

- 8.1 An existing Business License issued under this Bylaw may be transferred upon application to and approval by the Town in the following circumstances:
- 8.2 When the transfer is from one Licensee to another for the same Business name in the same Business Premises;
- 8.3 When the transfer is for a change of civic address from one Business Premises to another for the same Licensee and Business, with the exception of a Home Occupation license.

## **9 LICENCE FEES**

- 9.1 Business licence fees shall be according to the Fees, Rates and Services Bylaw passed by Council.
- 9.2 Business Licences may be extended by means of a Reciprocal Business Licence arrangement between Town Council and the Councils from other municipalities.
- 9.3 When a Reciprocal Business Licence arrangement has been made that agreement will supersede the applicable sections of this Bylaw.

## **10 POWER OF REFUSAL**

- 10.1 Subject to the provisions of this Bylaw, upon receipt of an application for a business licence, the Enforcement Officer may refuse a business licence if, in their opinion the application does not meet the requirements of
1. This Bylaw, or
  2. Any other Bylaw of the Town of Picture Butte, or
  3. any Provincial or Federal Statute,
- 10.2 There are other just and reasonable grounds for the refusal of the application.

## **11 POWER TO REVOKE A LICENCE**

- 11.1 Where a business licence has been granted pursuant to this Bylaw, the Enforcement Officer may revoke or suspend the business licence if, in their opinion the business no longer complies with provisions of:
  1. This Bylaw, or
  2. Any other Bylaw of the Town of Picture Butte, or
  3. Any Provincial or Federal Statute
- 11.2 There are just and reasonable grounds for the revocation or suspension of the licence.
- 11.3 A licence may be revoked or suspended for non-compliance with a Bylaw notwithstanding that the holder of that licence has not been prosecuted for a contravention of that Bylaw.

## **12 NOTICE TO REVOKE OR SUSPENSION A LICENCE**

- 12.1 Upon a licence being revoked or suspended, as herein provided, the Enforcement Officer shall notify the licensee by:
  1. Delivering a notice to them personally, or
  2. Mailing a registered letter to the place of business or residence as shown on the licence.
- 12.2 Upon receipt of such notice the licensee shall cease operations until such time as a new licence is issued or the suspended licence is reinstated.
- 12.3 The recipient of a Notice of Revocation or Suspension may appeal the notice to Council.

## **13 NULLIFICATION OF LICENCE**

- 13.1 Where any certificate, authority, licence or other document of qualification under this or any other Bylaw, or under any Statute of Canada or Province of Alberta is suspended, cancelled, terminated or surrendered, any licence issued under this Bylaw based in whole or in part on such certificate, authority, licence or other document of qualification shall be revoked automatically forthwith.
- 13.2 Where a licence is revoked pursuant to Section 22 hereof, the licensee shall forthwith:
  1. return the licence to the Enforcement Officer; or
  2. furnish the Enforcement Officer with satisfactory proof of a renewal or reissue of the certificate, authority, licence or other document of qualification.

## **14 APPEAL**

- 14.1 Where:
  1. an application for a business licence has been refused, or
  2. a business licence has been revoked or suspended, the person seeking the licence may appeal to Council.
- 14.2 An appeal must be made by the applicant within fourteen (14) days after such refusal, revocation or suspension.
- 14.3 All appeals shall be:
  1. Made in writing addressed to the Chief Administrative Officer of the Town of Picture Butte.
  2. Dated as of the date received at the Town office.
- 14.4 Council, after hearing the applicant, may
  1. Direct a business licence be issued or reinstated,
  2. Direct a business licence be issued or reinstated with conditions,
  3. Refuse to issue a business licence,
  4. Uphold the "Notice to Revoke or Suspend".

## **15 PENALTIES**

- 15.1 Where an Enforcement Officer believes that any person has committed a breach of any of the Sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.
- 15.2 Any person violating any of the provisions of this Bylaw shall be subject to a fine as outlined in Schedule A. Second, Third and subsequent offences shall be considered within a twelve (12) month period.
- 15.3

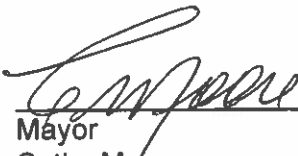
**16 INTENTION OF COUNCIL**

- 16.1 It is the intentions of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of this Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.
- 16.2 Bylaw No. 689-92 Business Licence Bylaw, and any amendments to it, is hereby rescinded when this bylaw shall come into force.
- 16.3 This Bylaw shall come into full force and effect on the day of its final passing.

READ A FIRST TIME THIS 28<sup>TH</sup> DAY OF AUGUST, A.D. 2023

READ A SECOND TIME THIS 28<sup>TH</sup> DAY OF AUGUST, A.D. 2023

READ A THIRD TIME AND FINALLY PASSED THIS 28<sup>TH</sup> DAY OF AUGUST, A.D. 2023

  
\_\_\_\_\_  
Mayor  
Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer  
Keith Davis

SCHEDULE A

SECTION	OFFENCE	PENALTY 1 <sup>st</sup> Offence	PENALTY 2 <sup>nd</sup> Offence	PENALTY 3 <sup>rd</sup> Offence
15.2	Any Violation relating to the bylaw	\$250	\$500	\$1,000



TOWN OF PICTURE BUTTE  
BYLAW NO. 939-23

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF RATES, FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY OR ON BEHALF OF THE MUNICIPALITY OF PICTURE BUTTE

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has broad authority to govern including authority to pass bylaws respecting rates, fees and charges levied for goods and services provided by or on behalf of the Municipality;

AND WHEREAS other provincial legislation empowers or requires a municipality to levy fees and charges specific to activities pursuant to such legislation;

AND WHEREAS the Town of Picture Butte Council deems it desirable and fiscally responsible to establish rates, fees and charges for municipal services and the use of municipal facilities;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Service Fees, Rates and Charges Bylaw".

2. SCHEDULE:

- 2.1. Schedule A, attached hereto, shall establish the fees, rates and charges, for the Town of Picture Butte, which are not already specified in an existing bylaw.

3. SEVERANCE

- 3.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

4. COMING INTO EFFECT

- 4.1. Bylaw No. 933-23 Service Fees, Rates and Charges Bylaw, and any amendments to it, is hereby rescinded when this bylaw shall come into force.
- 4.2. This Bylaw shall come into force and effect on the final day of passing thereof.

READ A FIRST TIME THIS	DAY OF	, A.D. 2023.
READ A SECOND TIME THIS	DAY OF	, A.D. 2023.
READ A THIRD TIME THIS	DAY OF	, A.D. 2023.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO



TOWN OF PICTURE BUTTE  
BYLAW NO. 939-23

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF RATES, FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY OR ON BEHALF OF THE MUNICIPALITY OF PICTURE BUTTE

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has broad authority to govern including authority to pass bylaws respecting rates, fees and charges levied for goods and services provided by or on behalf of the Municipality;

AND WHEREAS other provincial legislation empowers or requires a municipality to levy fees and charges specific to activities pursuant to such legislation;

AND WHEREAS the Town of Picture Butte Council deems it desirable and fiscally responsible to establish rates, fees and charges for municipal services and the use of municipal facilities;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Service Fees, Rates and Charges Bylaw".

2. SCHEDULE:

- 2.1. Schedule A, attached hereto, shall establish the fees, rates and charges, for the Town of Picture Butte, which are not already specified in an existing bylaw.

3. SEVERANCE

- 3.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

4. COMING INTO EFFECT

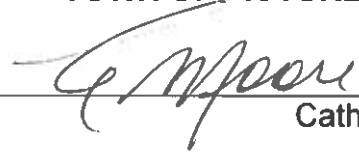
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- 4.2. This Bylaw shall come into force and effect on the final day of passing thereof.

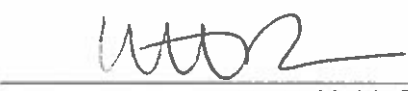
READ A FIRST TIME THIS 11<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2023.

READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2023.

READ A THIRD TIME THIS 11<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2023.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO

## SCHEDULE A

### ADMINISTRATIVE SERVICE CHARGES & FEES

#### Certificate Requests

Tax Certificates	\$	30.00
Certificate of Compliance	\$	30.00
Zoning letter	\$	30.00
Tax /Assessment information (non ratepayer)	\$	30.00
Inspection of the Assessment Role	\$	30.00
Tax Notice Mortgage Admin Fee per Tax Roll	\$	10.00
Reprint of Tax Notice or Utility Invoice (including sending copy to lawyer)	\$	10.00

#### Assessment Appeals

Assessment Appeal of land or building	\$	50.00
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#### Miscellaneous Administrative Fees

NSF Cheques	\$	45.00
Bank Item Return	\$	45.00
Tax Arrears Administrative Fee	\$	100.00
Bylaw Enforcement Administrative Fee	\$	25.00
Pool & Baseball Diamond Refund Administrative Fee	\$	10.00
Replacement Security Cards	\$	20.00
Prices are GST Exempt		

Updated in 2020

### COMMUNITY CENTRE RENTAL RATES

#### Facility

##### Main Hall Rental

• 3 hours	\$	80.25
• 4 hours	\$	107.00
• 5 hours	\$	133.75
• 6 hours	\$	160.50
• 7 hours	\$	187.25
• 8+ hours	\$	200.00

##### Main Hall & Kitchen Rental

• 3 hours	\$	130.25
• 4 hours	\$	157.00
• 5 hours	\$	183.75
• 6 hours	\$	210.50
• 7 hours	\$	235.25
• 8+ hours	\$	250.00

Damage Deposit for all rentals	\$	300.00
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Prices Inclusive of GST

Updated in 2020

WJ CW

**RECREATION SERVICE FEES & CHARGES**

**Sports Field Rentals**

Baseball Diamond per hour	\$ 5.25
Local Youth Teams per hour	\$ 3.15
Tournament Fee – Friday to Sunday (both diamonds)	\$ 300.00
Tournament Fee – One Day (both diamonds)	\$ 100.00
Damage Deposit for all bookings	\$ 300.00
Key Deposit	\$ 100.00
Tennis Courts	No Charge
Prices Inclusive of GST	

*Updated in 2022*

**Campground Rates**

Per Night	\$ 10.00
Per Week (7 consecutive nights)	\$ 60.00
Per Month (30 consecutive nights)	\$ 225.00
Prices Inclusive of GST	

**Camp Kitchens**

Lions Park Bathroom Multi-purpose room per booking (no ice)	\$ 20.00
Damage Deposit	\$ 100.00
Lions Park Camp Kitchen	No Charge
Regional Park Camp Kitchen	No Charge

*Updated in 2022*

141 CW

## RECREATION SERVICE FEES & CHARGES continued...

### POOL

#### General Admission *(updated 2023 season)*

Infants (3 and under)	No Charge
Child (4-12)	\$ 3.75
Youth (13-17)	\$ 4.25
Adult (18-64)	\$ 5.75
Senior (65+)	\$ 4.75
Family (2 adults and 4 youth/child)	\$ 17.00

- Additional youth/child

Half Regular

#### School Rentals (per hour based on guards required on deck)

*(update for 2024 season)*

- 1 – 35 people \$ 45.00
- 36 to 70 people \$ 70.00
- 71 to 107 people \$ 95.00
- 108 to 142 people \$ 120.00
- 142+ people \$ 145.00

#### Private Rentals(per hour based on guards required on deck)

*(update for 2024 season)*

- 1 – 35 people \$ 96.00
- 36 to 70 people \$ 140.00
- 71 to 107 people \$ 190.00
- 108 to 142 people \$ 240.00
- 142+ people \$ 290.00

#### Season Passes *(updated 2023 season)*

Child (4-12)	\$ 62.00
Youth (13-17)	\$ 70.00
Adult (18+)	\$ 90.00
Senior (65+)	\$ 85.00
Family	\$ 205.00

- 2 adults and 4 youth/child living at the same residential address

- Additional youth/child season passes

Half Regular

#### One Parent Family

\$ 149.00

- 1 adult and 4 youth/child living at the same residential address

- Additional youth/child season passes

Half Regular

#### Fire Fighter Volunteer

No Charge

#### Town of Picture Butte Employees

Half Regular

*Season passes allow access to all public swims and fitness classes*

*"Half Regular" means half the regular rate*

Fitness Pass	\$ 63.00
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*A fitness pass allows access to only fitness classes for the season*

#### Punch Cards *(updated 2023 season)*

Ten Pass Child (4-12)	\$ 31.00
Ten Pass Youth (13-17)	\$ 41.00
Ten Pass Adults	\$ 51.00
Ten Pass Seniors (65+)	\$ 41.00

#### Lessons *(updated 2023 season)*

##### Swim for Life Swim Lessons

Preschool Lessons/Parent & Tot	\$ 45.00
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Level 1 – 4	\$ 45.00
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Level 5 – 6	\$ 50.00
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Level - Swim Patrol = Star, Ranger Rookie	\$ 55.00
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Private Lessons (Five, half hour lessons. Must be in same week).	\$ 150.00
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Bronze Cross/Medallion	\$ 240.00
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- Price includes manual

Prices are GST Exempt

*W O C M*

**ARENA**

**Public Skating Admissions**

Adults	\$ 2.25
Children (7-17)	\$ 1.25
6 and under	No Charge
Family	\$ 7.50

**Season Passes**

Adults	\$ 31.00
Children (7-17)	\$ 16.00
Family	\$ 110.00

**Ice Rentals**

Adult Groups	\$ 173.35
Youth Groups (in Town)	\$ 99.40
Youth Groups (out of Town)	\$ 112.05
Sponsorships (1 hour)	\$ 99.40
Rentals starting after 10:00 p.m.	\$ 112.06
<i>(3% increase for ice users Sept 2023)</i>	

**Facility Rentals**

Concession Rental per month	\$ 500.00
ProShop Rental per year	\$ 267.75
Teen Room for community groups involved in youth programming	No Charge
Teen Room for groups not involved in youth programming per hour	\$ 10.50
Penalty for Judo club if mats are left on the ground when another youth group wants to use teen room	\$ 52.50
Arena Lobby Rental per hour (April to October)	\$ 15.75
Curling Club Rental (October to April)	\$27,192.00

**Off Season Rates**

Arena Rental per hour	\$ 30.00
Arena Rental per day	\$ 180.00
Curling Rink Rental per hour	\$ 30.00
Curling Rink Rental per day	\$ 180.00
Damage Deposit	\$ 500.00
All Arena Rates Inclusive of GST	

*Updated in 2023*

100 CW

## FIRE DEPARTMENT SERVICE FEES & CHARGES

### Emergency Response

Any emergency response outside of the Town of Picture Butte, not covered by an existing agreement, will be invoiced at the current Alberta Transportation rates.

### Standby Fees for Non-Emergency Events

Fire Engine per unit per hour or portion thereof	\$ 325.00
Rescue Unit per unit per hour or portion thereof	\$ 325.00
Command Unit per unit per hour or portion thereof	\$ 300.00
Specialty Team in addition to unit charge	\$ 100.00

Standby/Assistance is available for not-for-profit or charitable organizations.  
Please contact the Picture Butte Firefighters Association for details.

### Response Fees for False Alarms (per calendar year)

First response	No Charge
Second response	\$ 325.00
Third or more response	\$ 650.00

### Fire Inspections Fees (per report)

During regular business hours	\$ 75.00
After regular business hours	\$ 100.00
Re-inspection for outstanding fire code violations	\$ 100.00

### Miscellaneous Fees

File search (investigations and inspections)	\$ 50.00
Occupancy Load Certificates	\$ 75.00
Fire Investigation Services per hour	\$ 75.00
Fire Extinguisher Training per person	\$ 10.00
Emergency Response / Evacuation Planning per plan	\$ 100.00
Fire Drills	No Charge
Display Fireworks Permit application	\$ 50.00
Mileage for out of Town Services per km	\$ 0.50
Public Education - Assessed per request	

Updated in 2021

100 0.50

## Bylaw No. 885-19 Dog Control Bylaw

### Specified Penalties

Section	Violation	Penalty
2.1	Dog Running at Large	\$ 100.00
2.2.1	Dog Bites a Person	\$ 300.00
2.2.2	Dog Injures a Person	\$ 200.00
2.2.3.	Dog Chases a Person	\$ 150.00
2.2.4.	Dog Bites, Barks at or Chases other animals, bicycles, automobiles, wildlife	\$ 100.00
2.2.5	Dog barks, howls excessively or unnecessarily or otherwise creates a disturbance	\$ 100.00
2.2.6.	Dog causes damage to property or other animals	\$ 100.00
2.2.7.	Dog upsets waste receptacles	\$ 100.00
2.3.	Dog transported loose in a vehicle	\$ 200.00
2.4.	Dog Fighting	\$1000.00
2.5.	Dog Defecation	\$ 100.00
2.6.	Dog in Heat	\$ 60.00
2.7.	Dogs left without Ventilation	\$ 100.00
2.8.	Dogs in Restricted Area	\$ 100.00
3.1	Dogs with Communicable Diseases in Public Places	\$ 100.00
3.2.	Failure to Lock, Isolate and report a dog with Rabies	\$ 100.00
4.3.	Failure to obtain an aggressive dog license and comply with requirements thereunder	\$ 200.00
4.3.	Failure to muzzle an aggressive dog	\$ 100.00
4.3.	Failure to leash an aggressive dog	\$ 100.00
4.3.	An aggressive dog running at large	\$ 200.00
4.3	Failure to adequately confine an aggressive dog	\$ 100.00
5.3.1.	Failure to have any electronic identification microchip implanted in an aggressive dog	\$ 150.00
6.1.	Dog not Licensed	\$ 150.00
6.3.	Dog not Wearing License	\$ 25.00
9.3.1.	Interference	\$ 100.00

### LICENCE FEES

Status of Dog	Annual Fee
1. Any dog that is altered and is marked for Identification	\$ 20.00
2. Any dog that is altered but is not marked for Identification	\$ 20.00
3. Any dog that is not altered but is marked for Identification	\$ 30.00
4. Any dog that is not altered and is not marked for Identification	\$ 30.00
5. Guide Dog or Service Dog pursuant to the Blind Persons' Rights Act, Chapter B-3 or to the Service Dogs Act, Chapter S-7.5	No Charge
6. Police or Law Enforcement Service Dog	No Charge
7. Seniors Dog Licence	No Charge
8. Dog Fancier Licence (in addition to regular license fee per dog)	\$ 30.00
9. Fostering Dog Licence	\$ 30.00
10. Fostering Dog Tag	\$ 20.00
11. Aggressive Dog Licence Fee	\$ 150.00

### OTHER FEES

12. Impoundment Fees (after 24 hours)	\$ 60.00
13. Aggressive Dog Impoundment Fee	\$ 100.00
14. Care and Sustenance (per day or portion thereof to commence at midnight on the day of impoundment)	\$ 9.00
15. Veterinary Fee	Amount Expended
16. Owner drop-off Fee	\$ 10.00
17. Destruction of dog	\$ 300.00 plus GST
18. Appeal to the Aggressive Dog Committee	\$ 200.00
19. Dog Tag Replacement	\$ 5.00

Last Reviewed by Administration in 2020

100 PW



## Bylaw No. 872-18 Utility Bylaw

### WATER RATES

	Current	2023	2024	2025	2026
Single Dwelling Residential:	\$48.50	\$49.00	\$49.50	\$50.00	\$50.50 per month
Non-Residential	\$48.50	\$49.00	\$49.50	\$50.00	\$50.50 per month
Multi-Unit Dwelling:	\$48.50	\$49.00	\$49.50	\$50.00	\$50.50 per month per dwelling unit
Mobile Home Parks:	\$41.23	\$41.65	\$42.00	\$42.50	\$43.00 per month per dwelling unit
Institutional	\$48.50	\$49.00	\$49.50	\$50.00	\$50.50 per month
Overages	\$1.90 per cubic meter				
Accounts outside Town limits:	Double the pertinent in-Town rate				
Overages outside Town limits:	\$2.10 per cubic meter				

- 20 cubic meters of water will be supplied to each dwelling unit per month for the monthly fee.
- Overages will be charged according to water usage over and above the 20 cubic meters of water supplied per month.
- For Multi-Unit Dwellings and for Mobile Home Parks the per month fee will be multiplied by the number of dwelling units, regardless of whether the dwelling is occupied or vacant.

Bulk Water Truck Fill	
Account Set Up and Card	\$25.00
Water per cubic meter	Same rate as Lethbridge County ( <i>Amended by Bylaw No. 897-20</i> )
Water Card Replacement	\$10.00

Raw Water	
Residential	\$130.00 annually
Non Residential	\$340.00 annually
<i>Updated in 2022</i>	

Water Meters	
Meter	Cost including shipping ( <i>Amended by Bylaw No. 897-20</i> )
Meter Horn	Cost including shipping ( <i>Amended by Bylaw No. 897-20</i> )
Removal	\$ 50.00
Repair or Replacement	Cost + 10%
Meter Test	\$125.00

- Repair or replacement charges will only be applied when there is evidence that the meter needs repair or replacement because it has been tampered with.

Utility Disconnection Fee	
Administrative Disconnect	\$ 25.00
Physical Disconnect	\$ 65.00 (Regular work hours) \$150.00 (Non-regular work hours)

Utility Connect Fee	
Administrative Connect	\$ 25.00

100 OK

**Bylaw No. 872-18 Utility Bylaw**

**SEWERAGE RATES**

DOMESTIC CUSTOMERS	Current	2023	2024	2025	2026	
Single-Unit Dwelling	\$18.75	\$23.75	\$28.75	\$33.75	\$38.75	per month
Multi-Unit Dwelling	\$18.75	\$23.75	\$28.75	\$33.75	\$38.75	per month per unit
Mobile Home Park	\$15.94	\$20.94	\$25.94	\$30.94	\$35.94	per month per unit

INSTITUTIONAL CUSTOMERS	\$107.50	\$112.50	\$117.50	\$122.50	\$127.50	per month
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COMMERCIAL 1 CUSTOMERS	Current	2023	2024	2025	2026	
Banks and Financial Institutions	\$18.75	\$23.75	\$28.75	\$33.75	\$38.75	per month
Confectionary						
Liquor Stores						
Medical Clinics						
Meeting Places						
Professional Offices						
Pharmacy						
Places of Worship						
Retail Outlets						

COMMERCIAL 2 CUSTOMERS	Current	2023	2024	2025	2026	
Fabrication	\$34.00	\$39.00	\$44.00	\$49.00	\$54.00	per month
Manufacturing						
Machining						
Welding						
Restaurants						
Fast Food Services						
Vehicle Repair						

INDUSTRIAL CUSTOMERS	Current	2023	2024	2025	2026	
Car Washes	\$107.50	\$112.50	\$117.50	\$122.50	\$127.50	per month
Truck Washes						
Slaughter Houses						
Hotels/Motels						

DISCHARGE LIMITS CHARGE – INSTITUTIONAL, COMMERCIAL & INDUSTRIAL CUSTOMERS	
BOD	\$0.243/Kg
TSS	\$0.340/Kg

COMMERCIAL/ RESIDENTIAL COMBINED CUSTOMERS	Current	2023	2024	2025	2026	
	\$34.00	\$39.00	\$44.00	\$49.00	\$54.00	per month

Accounts Outside of Town Limits	Double the pertinent in-Town rate
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(W) 

Bylaw No. 872-18 Utility Bylaw

WASTE MANAGEMENT RATES

GARBAGE COLLECTION:	Current	2023	2024	2025	2026
Residential	\$19.95	\$22.00	\$22.70	\$23.40	\$24.10 per month
Multi-Unit Dwelling	\$14.45	\$16.02	\$16.50	\$17.00	\$17.50 per dwelling unit
Mobile Home Park	\$17.00	\$18.90	\$19.45	\$20.05	\$20.65 per dwelling unit
Commercial	\$26.80	\$29.70	\$30.90	\$31.85	\$32.80 per weekly pickup per month
Mixed Commercial / Residential	\$26.80	\$29.70	\$30.90	\$31.85	\$32.80 per weekly pickup per month
Institutional	\$109.50	\$120.75	\$124.40	\$128.15	\$132.00 per month (2 weekly pickups)
Garbage Bin Replacement	\$100.00				per bin

UTILITY PENALTIES AND FINE RATES

Utilities in Arrears	2% per month (26.82% per annum)
Non Sufficient Funds (NSF)	\$45.00 per incident.
Failure to Comply	
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1000.00

160 On

**Bylaw No. 912-21 Urban Hen Bylaw**

Application Fee	\$100.00
Annual Urban Hen Licence Fee	\$ 30.00

**Bylaw No. 938-23 Business Licence fees**

	<u>Yearly Resident</u>	<u>Daily Resident</u>	<u>Yearly Non Resident</u>	<u>Daily Non Resident</u>	<u>Per Event</u>
Business	\$ 50.00	\$ 25.00	\$ 200.00	\$ 50.00	N/A
Contractor	\$ 50.00	\$ 25.00	\$ 200.00	\$ 50.00	N/A
Sub-Contractor	\$ 50.00	\$ 25.00	\$ 200.00	\$ 50.00	N/A
Hawker or Peddler	\$ 50.00	\$ 25.00	\$ 200.00	\$ 50.00	N/A
Home Occupation	\$ 50.00	\$ 25.00	N/A	N/A	N/A
Farmer's Market	N/A	N/A	N/A	N/A	\$ 100.00
Flea Market	N/A	N/A	N/A	N/A	\$ 100.00
Any other Business not Specifically provided For in this bylaw	\$ 50.00	\$25.00	\$ 200.00	\$ 50.00	N/A

*Last Reviewed by Administration in 2023*

100 QW

## TOWN OF PICTURE BUTTE

### BYLAW NO. 940-23

**A BYLAW IN THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE REGULATION FOR HOW TAX PAYMENTS ARE COLLECTED AND HOW TO IMPOSE PENALTIES FOR NON-PAYMENT OF TAXES AS PROVIDED BY THE MUNICIPAL GOVERNMENT ACT R.S.A. 2000 CHAPTER M-26.**

**WHEREAS** in accordance with the *Municipal Government Act R.S.A. 2000 Chapter M-26*, as amended, the Town of Picture Butte imposes taxes annually in respect of property in the Municipality to raise revenue;

**WHEREAS** in accordance with Sections 344, 345 and 346 of the *Municipal Government Act* Council may pass a bylaw to impose penalties on non-payment of taxes;

**NOW THEREFORE** the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

#### SECTION 1 DEFINITIONS

1.1 In this bylaw:

- a. "Tax Roll" is the listing of all parcels of land in the Town of Picture Butte in which taxes are imposed.
- b. "Tax Notice" is the Tax / Assessment notice sent by the Town of Picture Butte with all information regarding the tax roll as per the requirements of Section 334 of the *Municipal Government Act*.
- c. "Tax Payment Due Date" is 4:00 p.m. Mountain Standard Time on either July 10<sup>th</sup> or the last business day prior to July 10<sup>th</sup>.
- d. "Tax Arrears List" is the list, prepared annually, no later than March 31<sup>st</sup>, of the parcels of land in the Town of Picture Butte of which there are tax arrears for more than one year as per Section 412 of the *Municipal Government Act*.
- e. "Assessment Appeal" is a written complaint about any assessed property as per Section 460 of the *Municipal Government Act*.

#### SECTION 2 METHOD OF PAYMENT

2.1 The following are deemed acceptable forms of payment for taxes:

- a. Tax Installment Payment Plan (TIPP)
- b. Cash
- c. Cheque, Bank Draft or Money Order
- d. Interac
- e. Credit card will be accepted **only** if the rate payer pays the services charges associated with using a credit card
- f. Through a Financial Institution with proof being the financial institution's written notification stating the amount paid, the corresponding tax roll and the payment transaction date.

2.2 Payments for the current year's taxes must be deemed received by July 10<sup>th</sup> or the last business day prior to July 10<sup>th</sup>, by one of the means listed in Section 2.1.

2.3 Payments are deemed received on the earlier of:  
a. The date received at the Town Office

- b. The legible date of the post mark, provided payment was sent via Canada Post
    - i) If the post mark is illegible, the date received at the Town Office shall be deemed the payment date.
  - c. Payment date listed on official payment notification provided by a Financial Institution
- 2.4 Receipts issued in acknowledgement of a cheque or other negotiable instrument shall be valid only if the amount of the cheque or instrument has been collected by the Town of Picture Butte (e.g. taxes paid on time by cheques that are returned due to insufficient funds are not deemed to be received on time and are subject to a penalty).
- 2.5 Any property on which the taxes are in arrears is liable to tax recovery proceedings as specified in the *Municipal Government Act*.
- 2.6 In the event a parcel of land is added to the Tax Arrears List, any costs payable by the Town of Picture Butte for land title, search, registration, notification, or discharge of notification fees shall be added to the tax roll to recover the related costs of such charges.
- 2.7 The Town of Picture Butte assumes no responsibility for non-payment or late payment of taxes by a third party including, but not limited to mortgage companies or financial institutions. The property owner accepts responsibility to ensure their property taxes are paid by the tax deadline due date.
- 2.8 An assessment appeal does not provide exemption from paying taxes on time or provide exemption from late payment penalties. If a complaint is successful, the adjustment will be applied to the applicable tax roll. A request for any refund amount from a successful assessment appeal must be applied for in writing.
- 2.9 Payments on all outstanding balances must be made by December 31<sup>st</sup> in one of the manners listed in Section 2.1 to avoid tax penalties being imposed.
- 2.10 Payments received on a tax roll shall be applied to charges in the following order:
  - a Tax arrears
  - b Amounts transferred to the tax roll
  - c Current taxes

### **SECTION 3 APPLICATION OF PENALTIES**

- 3.1 A penalty of eighteen (18%) of the current tax levy shall be applied to any tax roll where the current tax levy remains unpaid after the tax payment due date shown on the Tax / Assessment Notice.
- 3.2 An interest charge of eighteen percent (18%) shall also be applied to any outstanding balance on any tax roll on any amount remaining unpaid after December 31<sup>st</sup>.
- 3.3 Any penalty or interest charge imposed under the provision of this bylaw shall be added to and form part of the unpaid taxes.

This Bylaw hereby rescinds Bylaw No. 862-17 and any previous amendments and comes into effect after receiving third and final reading.

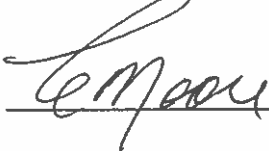


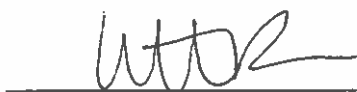
Read a first time this 27<sup>th</sup> day of November, 2023

Read a second time this 27<sup>th</sup> day of November, 2023

Read a third time this 27<sup>th</sup> day of November, 2023

**TOWN OF PICTURE BUTTE**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 942-24**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA TO ADOPT BYLAW 942-24 THE BUTTE LANDING AREA STRUCTURE PLAN.**

**WHEREAS** in accordance with Section 633 of the Municipal Government Act, RSA-2000, Chapter M-26, and all amendments thereto, the Council of the Town of Picture Butte deems it advisable to adopt the Butte Landing Area Structure Plan Bylaw No. 942-24 as provided in Schedule "A";

**AND WHEREAS** the purpose of proposed Bylaw No. 942-24 is to adopt an Area Structure Plan that provides a framework for dealing with future subdivision and development of lands within the plan area with a diversity of multi-unit housing options;

**AND WHEREAS** the municipality wishes to provide for orderly growth and development to occur;

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

**NOW THEREFORE**, the Council of the Town of Picture Butte in the Province of Alberta hereby enacts as follows:

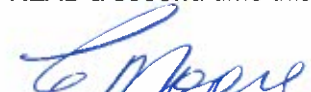
1. This bylaw may be cited as the Butte Landing Area Structure Plan.
2. That the Butte Landing Area Structure Plan attached hereto as Schedule "A" and forming Bylaw No. 942-24 be adopted.
3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 12<sup>th</sup> day of February 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 26<sup>th</sup> day of February 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 26<sup>th</sup> day of February 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 943-24**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, TO AMEND  
BYLAW NO. 841-15, BEING THE MUNICIPAL LAND USE BYLAW.**


**WHEREAS** the purpose of the proposed amendment is to redesignate land legally described as:  
Lots 2, Block 3, Plan 2311035, from 'Urban Reserve – UR' to 'Residential Multi-unit – R5', as shown on  
the map in Schedule 'A' attached hereto to accommodate the development of a multi-unit rowhouse  
residential building;

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be  
held prior to second reading of this Bylaw;

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act,  
Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte,  
in the Province of Alberta, duly assembled does hereby enact the following:

1. The land described as Lot 2, Block 3, Plan 2311035 as shown on the attached Schedule 'A' be  
designated as Residential Multi-unit – R5.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be  
amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended.
4. Final formatting and consolidation shall take place following the passage of the bylaw.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 26th day of February 2024.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**


  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **second** time this 26th day of February 2024.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **third** time and finally passed this 26th day of February 2024.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

**MUNICIPAL BORROWING BYLAW**  
**For the Purpose Specified in Section 256 of the**  
**Municipal Government Act**  
**Bylaw No. 944-24**

**WHEREAS** the Council of the Town of Picture Butte (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

**Revolving Credit for Operating Expenditures; \$400,000.00**  
**MasterCard credit for daily purchases; \$35,000.00**

**NOW THEREFORE** pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$400,000.00 and \$35,000.00 respectively repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - (a) To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
  - (b) As security for any money borrowed from ATB
    - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and
    - (iii) To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes levied or to be levied and requisitions made or to be made by the Town of Picture Butte.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
6. This Bylaw comes into force February 12<sup>th</sup>, 2024 and rescinds Bylaw 934-23.

MOVED by Councillor Neels to approve FIRST reading of Bylaw #944-24 this 12<sup>th</sup> day of February, 2024.  
CARRIED

MOVED by Councillor Feist to approve SECOND reading of Bylaw #944-24 this 12<sup>th</sup> day of February, 2024.  
CARRIED

MOVED by Deputy Mayor Papworth that permission be granted to move to THIRD AND FINAL reading of Bylaw #944-24 this 12<sup>th</sup> day of February, 2024  
CARRIED UNANIMOUSLY

MOVED by Councillor de Kok to approve THIRD AND FINAL reading of Bylaw #944-24 this 12<sup>th</sup> day of February, 2024.  
CARRIED

### **Certificate**

**WE HEREBY CERTIFY** that the foregoing resolution was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 12<sup>th</sup> day of February, 2024 at which a quorum was present, as entered in the Minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 12<sup>th</sup> day of February, 2024.

Seal

  
\_\_\_\_\_  
Cathy Moore  
Chief Elected Official

  
\_\_\_\_\_  
Keith Davis  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 946-24

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A HEALTH PROFESSIONAL ATTRACTION AND RETENTION COMMITTEE IN THE TOWN OF PICTURE BUTTE

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the right to govern the Town in a manner that Council considers appropriate;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws in relation to the establishment and functions of Council committees, and the procedure and conduct of Council committees, and the conduct of Council committees established by the Council;

AND WHEREAS the Council of the Town of Picture Butte considers it expedient to establish a Health Professional Attraction and Retention Committee to advise them on health professional attraction and retention matters;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

- 1.1. This bylaw may be cited as the "Health Professional Attraction and Retention Committee Bylaw".

2. DEFINITIONS

- 2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte;
2. "Committee" means the Picture Butte Health Professional Attraction and Retention Committee;
3. "Council" means the Town of Picture Butte Council;

3. HEALTH PROFESSIONAL ATTRACTION AND RETENTION COMMITTEE

- 3.1. There is hereby established a Committee to be known as the Picture Butte Health Professional Attraction and Retention Committee.

4. APPOINTMENTS/TERMS

- 4.1. The Committee shall consist of at least five (5), to a maximum of nine (9) voting members appointed by Council. The said members shall consist of at least:
1. Two (2) members of Town Council;
  2. One (1) member of Lethbridge County Council;
  3. Two (2) members living within the geographical area of Lethbridge County;
- 4.2. The Committee shall also consist of three (3) non-voting members. The non-voting members shall consist of:
1. One (1) member of the Town of Picture Butte Administration team appointed by the CAO;
  2. One (1) member of the Rural Health Professions Action Plan;
  3. One (1) Alberta Health Services representative.
- 4.3. All voting members shall be appointed by Council Resolution at the recommendation of the Committee.

- 4.4. Appointments shall be for four (4) years.
- 4.5. All members shall remain in office until their respective successors are appointed by Council.
- 4.6. By mutual consent, the Council and the Committee may with reason, request the resignation of any of the members, prior to the expiry date of the member's appointment.
- 4.7. Any member may resign at any time upon sending a written notice to the CAO.
- 4.8. A person is disqualified from remaining a member of the Committee if he/she fails to attend, without being authorized by a resolution of the Committee to do so, three (3) consecutive Committee meetings.
- 4.9. If a member of the Committee is disqualified from remaining a member under subsection 5.6., he/she is deemed to have resigned his/her seat on the Committee.

## 5. PROCEEDINGS

- 5.1. Annually, the Committee shall hold a meeting at which time a chairperson and vice-chairperson shall be selected for the ensuing year.
- 5.2. The secretary shall be a member of Town administration. The roll of the secretary is to:
  1. Prepare agendas, with the Chair, for the meeting;
  2. Keep minutes of the meetings and distribute them to the members.
- 5.3. Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee, at least once every three (3) months, and at such other times as deemed necessary.
- 5.4. A majority of members of the Committee constitute a committee. Attendance via electronic means is considered acceptable for meeting quorum and attendance requirements.
- 5.5. Any decision of the Committee that is reached by a majority of quorum shall be deemed to be the decision of the Committee.
- 5.6. All minutes, resolutions and policies of the Committee shall be entered in books to be kept by it for that purpose and the books shall be signed by the Chair or Acting Chair.
- 5.7. A copy the minutes shall be distributed, via email, to Committee members within one week of the meeting whenever possible;
- 5.8. Remuneration of the members of the committee shall be established by resolution of Council.

## CLOSED SESSIONS

- 5.9. Any agenda items or reasons for going into a Closed Session must meet the criteria established within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
- 5.10. In accordance with the Municipal Government Act and Section 153 of the Freedom of Information and Protection of Privacy Act, all members of the Committee are required to keep in confidence all matters discussed in a Closed Session until the item is discussed at a meeting held in public.
- 5.11. A motion is required to go in a Closed Session and leave a Closed Session. The times the meeting is closed and is open are to be recorded in the minutes.
- 5.12. Members shall not pass resolutions or motions during a Closed session except to open the meeting to the public again.

## 6. DUTIES OF THE COMMITTEE

- 6.1. The purpose of the Committee is to build a sustainable system for health profession attraction and retention in collaboration with local health professionals which will ensure ongoing health-care provision to the community;



- 6.2. The Committee's objectives shall be to:
1. Coordinate attraction and retention of needed health professions amongst the existing providers, Alberta Health Services (AHS), Covenant Health, and the community;
  2. To reduce the need for recruitment by focusing on retention efforts. Retention efforts focus on the following three areas;
    - a. Settling in and integration of health professionals;
    - b. Family integration into the community; and
    - c. Family quality of life interests.
  3. To facilitate community involvement in the attraction and retention process together with health professions and AHS;
- 6.3 Specific powers, duties and responsibilities of the Committee include:
1. Serve as a liaison between Town Council and the community;
  2. In conjunction with Council and Town staff, facilitate health professional attraction and retention activities for the Town;
  3. Work with stakeholders to attract and retain health professionals to the Town;
  4. Provide review and comment on health profession retention and attraction efforts to Council;
  5. Make recommendations to Council regarding health profession retention and attraction issues, strategy development and implementation and other initiatives that can be undertaken by the Town to expand and strengthen its health professional's retention and attraction efforts; and
  6. To assist Council in finding funding sources for health professional retention and attraction initiatives.
- 6.4 The Committee Chairperson shall present an annual written report to Council in December of each year.

## 7. BUDGET

- 7.1 Annually, before the 30<sup>th</sup> of September, the Committee shall submit to the Council for ratification, a budget of estimated expenditures and revenues for the next year with respect to all matters over which or under the terms of this bylaw, it has jurisdiction.
- 7.2 Neither the Committee nor any member thereof shall have the power to pledge the credit of the Town in connection with any matter whatsoever; nor shall the said Committee or any member thereof have the power to authorize any expenditure to be charged against the Town.
- 7.3 In the event that there is any deviation of the ratified budget desired by the Committee, application for change from the ratified budget must be made to Council before the change is affected.

## 8. COMING INTO EFFECT

- 8.1 Bylaw No. 945-24 Health Professional Recruitment and Retention bylaw, and any amendments to it, is hereby rescinded when this bylaw shall come into force.
- 8.2 This Bylaw shall come into force and effect on the date of the third reading.

READ A FIRST TIME THIS 11<sup>TH</sup> DAY OF MARCH, 2024. A.D.  
READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF MARCH, 2024. A.D.  
READ A THIRD TIME AND FINALLY PASSED THIS 11<sup>TH</sup> DAY OF MARCH, 2024.  
A.D.

TOWN OF PICTURE BUTTE

A handwritten signature in blue ink, appearing to read "C. Moore", written over a horizontal line.

Cathy Moore  
Mayor

A handwritten signature in black ink, appearing to read "Keith Davis", written over a horizontal line.

Keith Davis  
CAO

**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 947-24**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 841-15, BEING THE MUNICIPAL LAND USE BYLAW.**

**WHEREAS** the purpose of the proposed amendment is to redesignate land civically described as 546 Rogers Ave S. and legally described as:  
Lot 8, Block 2, Plan 169JK, from 'Residential – R1' to 'Residential Multi-unit – R5', as shown on the map in Schedule 'A' attached hereto to accommodate the development of a multi-unit dwelling;

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. The land described as Lot 8, Block 2, Plan 169JK as shown on the attached Schedule 'A' be designated as Residential Multi-unit – R5.
2. That the Land Use Districts map of the Town of Picture Butte Land Use Bylaw No. 841-15 be amended to reflect this designation.
3. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended and consolidated.
4. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8<sup>th</sup> day of April 2024.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **second** time this 13<sup>th</sup> day of May 2024.

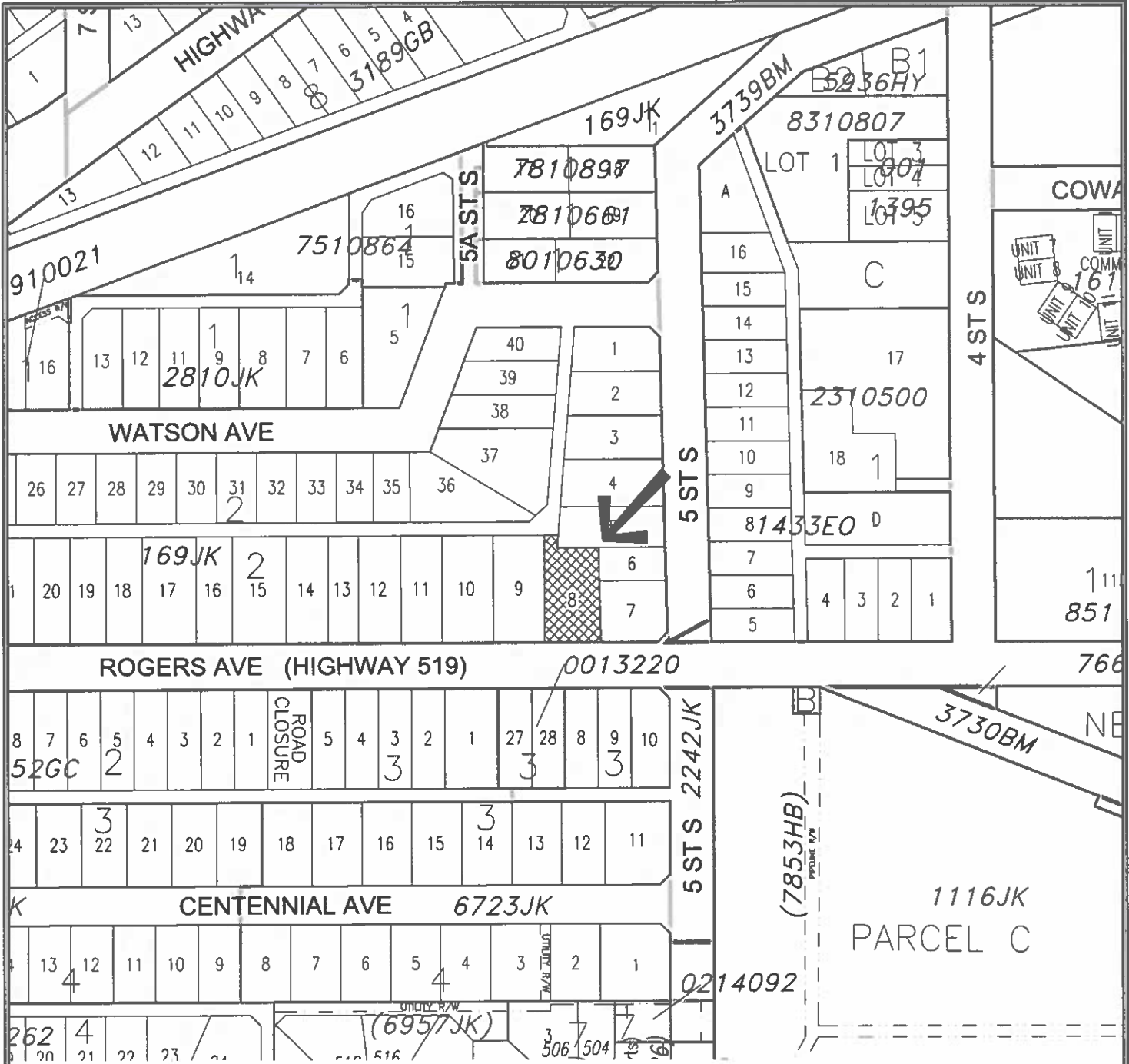
  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**

READ a **third** time and finally passed this 13<sup>th</sup> day of May 2024.

  
\_\_\_\_\_  
**Mayor – Cathy Moore**

  
\_\_\_\_\_  
**Chief Administrative Officer – Keith Davis**



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**



**FROM: RESIDENTIAL – R1  
TO: RESIDENTIAL MULTI-UNIT – R5**

**LOT 8, BLOCK 2, PLAN 169JK WITHIN SE 1/4 SEC 3, TWP 11, RGE 21, W 4 M**

**MUNICIPALITY: TOWN OF PICTURE BUTTE**

**DATE: MARCH 28, 2024**

**Bylaw #:** 947-24  
**Date:** May 13, 2024



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

**TOWN OF PICTURE BUTTE**

**BYLAW # 948-24**

**A BYLAW OF THE TOWN OF PICTURE BUTTE TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF PICTURE BUTTE, FOR THE 2024 TAXATION YEAR**

**WHEREAS**, the Town of Picture Butte has prepared and adopted detailed estimates of the municipal revenues and expenditures required, at the Regular Council Meeting held on April 22, 2024; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Picture Butte for 2024 total **\$5,989,942.00**; and

**WHEREAS**, the estimated municipal revenues and transfers from all other sources other than taxation is estimated at **\$4,314,627.00**, and the balance of **\$1,675,315.00** is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF):		
Residential / Farmland	\$ 419,475.00	
Non-Residential	<u>\$ 119,505.00</u>	\$ 538,980.00
Opted Out School Boards:		
Residential / Farmland	\$ 52,670.00	
Non-Residential	<u>\$ 31,745.00</u>	<u>\$ 84,415.00</u>
Total School Requisitions		\$ 623,395.00
Green Acres Foundation (Seniors Requisition)		\$ 34,000.00
FCSS		\$ 15,500.00
Provincial Policing		\$ 90,000.00
Designated Industrial Property (DIP Requisition)		<u>\$ 197.00</u>
<b>Total Requisitions for 2024</b>		<b>\$ 763,092.00</b>

**WHEREAS**, the Council of the Town of Picture Butte is required each year to levy on the assessed value of all taxable property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council of the Town of Picture Butte is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS**, the assessed value of all property in the Town of Picture Butte as shown on the assessment roll is:

	<b>Assessment</b>
Residential / Farm Land – Public	\$ 176,617,900.00
Residential / Farm Land – Separate	\$ 21,350,880.00
Non-Residential / Linear – Public	\$ 34,631,960.00
Non-Residential / Linear – Separate	\$ 9,175,530.00
Machinery and Equipment – Public	\$ 1,809,920.00
Machinery and Equipment – Separate	<u>\$ 0.00</u>
<b>Total Assessment for 2024</b>	<b>\$ 243,586,190.00</b>

KD CW

**NOW THEREFORE** under the authority of the Municipal Government Act, the Council of the Town of Picture Butte, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Picture Butte:

	TAX LEVY	ASSESSMENT	TAX RATE
<b>General Municipal</b>			
Residential / Farmland	\$ 1,281,640.00	\$197,968,780.00	6.47393
Non-Residential and M&E	\$ 393,675.00	\$ 45,617,410.00	8.63000
<b>Alberta School Foundation Fund</b>			
Residential / Farmland	\$ 419,475.00	\$175,884,190.00	2.38495
Non-Residential	\$ 119,505.00	\$ 34,612,945.00	3.45261
<b>Opted Out School Boards</b>			
Residential / Farmland	\$ 52,670.00	\$ 22,084,590.00	2.38495
Non-Residential	\$ 31,745.00	\$ 9,194,545.00	3.45261
<b>Seniors Requisition</b>			
Green Acres Foundation	\$ 34,000.00	\$243,586,190.00	0.13958
<b>FCSS</b>	\$ 15,500.00	\$243,586,190.00	0.063633
<b>Provincial Policing</b>			
Residential / Farmland	\$ 72,900.00	\$197,968,780.00	0.36824
Non-Residential	\$ 17,100.00	\$ 45,617,410.00	0.37486
<b>Designated Industrial Property Requisition</b>			
DIP Requisition	\$ 197.00	\$ 2,579,850.00	0.076361
<b>GRAND TOTAL</b>	<b>\$ 2,438,407.00</b>		

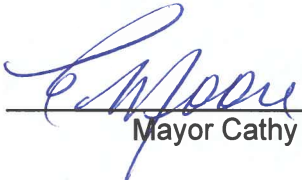
2. That this Bylaw shall take effect upon the date of the third and final reading.


Read a first time in Council assembled this 22<sup>nd</sup> day of April, 2024

Read a second time in Council assembled this 22<sup>nd</sup> day of April, 2024

Council unanimously resolved to proceed to third reading this 22<sup>nd</sup> day of April, 2024

Read a third time in Council assembled this 22<sup>nd</sup> day of April, 2024

  
\_\_\_\_\_  
Mayor Cathy Moore

  
\_\_\_\_\_  
CAO Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 949-24

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND OPERATION OF PARKS, CAMPGROUNDS, AND PUBLIC LANDS.

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws relating to the people, activities and things in, on or near a public place or place that is open to the public;

AND WHEREAS the Municipal Government Act also provides that a Council may pass bylaws relating to the services provided by or on behalf of the municipality;

AND WHEREAS the Council of the Town of Picture Butte wishes to establish rules and regulations for the control and operation of its municipal lands and reserves, parks, open spaces, and campgrounds;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

1. CITATION

1.1. This bylaw may be cited as the "Parks and Campgrounds Bylaw".

2. DEFINITIONS

2.1. In this bylaw:

1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte, or designate;
2. "Council" means the Town of Picture Butte Council;
3. "Town" means the Town of Picture Butte, a municipal corporation in the Province of Alberta, and where the context so requires, means the area of land within the corporate boundaries thereof;
4. "Municipal Tag" means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town;
5. "Enforcement Officer" means
  - a. A member of the Royal Canadian Mounted Police
  - b. A Community Peace Officer as appointed by the Solicitor General of Alberta;
  - c. A Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town;
6. "Violation Tag" means a notice or tag in the form as approved by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw;
7. "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedures Act, Revised Statutes of Alberta 2000, Chapter P-34 and any amendments or regulations thereto;
8. "Park" means land owned or controlled by the Town that is now or hereafter established, dedicated, set apart or designated, specified or made available for use by the public as a park, recreation area, campsite or picnic site, and includes any and all improvements situated thereon or therein;

*W*      *AW*



9. "Campground" means a park designated as a site on which daytime or overnight camping is permitted;
10. "Public Lands" means those lands designated with a public land use in the Town's Land Use Bylaw and deemed by Council as a space that is open to the public including trails;
11. "Highway, Vehicle, Motor Vehicle, and Motorcycle" shall respectively have the same meaning as are ascribed to them in the *Traffic Safety Act*;
12. "Camping Unit" shall mean:
  - a. a tent
  - b. a trailer
  - c. a tent trailer
  - d. a motor home
  - e. a van or
  - f. a truck camperused by a person as shelter equipment while camping;
13. "Park Attendant" means an employee of the Town of Picture Butte or an individual appointed by Council to monitor activities within a park or campground

### 3. PARK DESIGNATIONS

- 3.1. Council hereby designates the land involved in parcels PARCEL L;5747FV, PARCEL M;5747FV, and 13;5655HM as the "Regional Park" inclusive of the following facilities:
  - 3.1.1. Picture Butte Campground
  - 3.1.2. Harry Watson Memorial Ballpark
  - 3.1.3. Picture Butte Off-Leash Dog Area
- 3.2. Council hereby designates the land involved with parcel R1;2;7811382 as the "Lions Memorial Park" inclusive of the following facilities:
  - 3.2.1. Lions Park Building
  - 3.2.2. Picture Butte Outdoor Arena
  - 3.2.3. Lions Park Picnic Shelter

### 4. PROHIBITIONS

- 4.1. No person shall, while in a Park, Campground, or on Public Lands:
  - 4.1.1. Injure, damage or deface in any way or tamper with anything in such Park, Campground or Lands including without limiting the generality of the foregoing, trees, shrubs, hedges, flowers, lawn, buildings, plumbing, heat or light fixtures, walls, fences, gates, signs, benches, playground equipment, exhibits, animals and included all improvements situated thereon or therein;
  - 4.1.2. Enter any area posted as a prohibited area for either motor vehicles, campers or pedestrians;
  - 4.1.3. Start a fire, except in fireplaces provided for such purposes and except in a barbecue or other portable fire appliance in an area of such Park and Campground specifically designated for such purpose;
  - 4.1.4. Cause, permit or allow any owned livestock or domestic animal under their control to be in such park or campground, other than a dog or cat. Such dog or cat shall be on a leash at all times, and the owner shall be responsible for picking up the animal's feces.
- 4.2. No person shall cause, permit or allow any other person under their control to do anything prohibited by this Bylaw.
- 4.3. No person shall litter as specifically stated in the *Litter Act, Provincial Status*.
- 4.4. No person shall:

KD CW

- 4.4.1. Use or operate any radio, television, record player or other music reproduction system in such a manner as to interfere with or lessen the use of enjoyment of the Park and Campground by any other person.
- 4.4.2. Discharge any fireworks or related similar apparatus.
- 4.5. No person shall act in a way that in the opinion of the Enforcement Officer is disorderly, dangerous, or offensive, including but not limited to: excessive and loud use of offensive language, drunkenness, nudity, and violent behavior.
- 4.6. No person shall defecate or urinate in a Park except in designated facilities.
- 4.7. Nothing in this Bylaw shall prevent any employee or agent of the Town from performing his lawful duties.

## 5. CAMPING

- 5.1. No person shall camp overnight in a park or recreation area except in an area designated for that purpose, unless a person is otherwise authorized by the Town.
- 5.2. All campers are required to register and provide payment using the self-registration system provided within 2 hours of occupying campsite.
- 5.3. Only one camping unit is allowed per site, unless a person is otherwise authorized by a Park Attendant.
- 5.4. Quiet hours are in effect from 11:00 pm to 7:00 am every day of the week.
- 5.5. No alcohol or cannabis use is permitted off the campsite.
- 5.6. Speed limit within the park is 20 km/hour. All signs must be obeyed.
- 5.7. No person shall stay in the campsite longer than 14 consecutive nights without seeking permission from the Town.
- 5.8. The Park Attendant or Enforcement Officer may use his/her discretion to refuse admittance to any patron or may request patrons to leave the park, when an infraction of the Bylaw occurs.
- 5.9. All campers are required to abide by the current fee structure that exists for campsites, serviced, unserviced and overflow.
- 5.10. Overflow camping is designated by the Park Attendant and all camping units are required to pay the same fee structure that exists for the campground.
- 5.11. On expiry or cancellation of paid camping term, the occupant shall vacate the campsite and remove all shelter, equipment and other property and ensure the site is left in a clean and orderly manner.

## 6. ANIMALS

- 6.1. A person may bring a dog:
  - 6.1.1. Into a Park, Campground, or Public Lands so long as the dog remains on a leash at all times.
  - 6.1.2. Into an area so designated by signage permitting dogs on a leash.
  - 6.1.3. Off-leash in designated off-leash area of a Park, Campground, or Public Lands.
- 6.2. The person in control of the dog shall immediately clean up fecal waste and dispose of it sanitarily in an accepted dog waste receptacle.
- 6.3. Regulations for the use of off-leash dog areas include:
  - 6.3.1. No animals other than dogs may be brought into the fenced area.
  - 6.3.2. All dogs must be leashed until safely inside the dog park and returned to a leash prior to exiting.
  - 6.3.3. Dog owners must remain in the fenced area while their dogs are using the dog park. Owners must be in view of their dogs and have voice control at all times.
  - 6.3.4. Choke, spike, chain or pinch collars are not allowed in the off-leash area.
  - 6.3.5. Professional dog trainers are not permitted to use the dog park to conduct their business.

- 6.3.6. Children accompanying dog owners must be strictly supervised and spectators should remain outside the fenced area.
- 6.3.7. Aggressive dogs, female dogs in heat and sick dogs are not allowed in the off-leash area. Owners must immediately leash and remove dogs from the off-leash area at the first sign of aggressive behavior.
- 6.3.8. Dogs must have a current Town of Picture Butte license and have all vaccinations up to date. Current license and rabies tags must be worn on the dog's collar at all times.

## 7. POWERS OF THE ENFORCEMENT OFFICER

- 7.1. For the purposes of administering this Bylaw, the Enforcement Officer may:
  - 7.1.1. Enter on and inspect any land, road, highway, structure or work in a Park, Campground or Public Lands.
  - 7.1.2. Order any person in a Park, Campground or Public Lands to cease or refrain from any action, omission, or conduct that in the opinion of the Enforcement Officer is dangerous to life or property or detrimental to the use and enjoyment of the area by other persons.
  - 7.1.3. Remove from a Park, Campground or Public Lands:
    - 7.1.3.1. any person making an unauthorized use of the area
    - 7.1.3.2. any person failing to comply with any provisions of this Bylaw, or
    - 7.1.3.3. any person creating a nuisance or disturbance or committing a trespass or any undesirable act, by force if necessary.
- 7.2. An Enforcement Officer may remove, store, dispose of, or seize any vehicle or item parked or placed in contravention of the provisions of this bylaw, or abandoned.
- 7.3. In this section "abandoned" means:
  - 7.3.1. left standing at a location for more than 72 consecutive hours other than pursuant to:
    - 7.3.1.1. a license, permit or other similar authorization, or
    - 7.3.1.2. prior authorization of an Enforcement Officer or Park Attendant, or
  - 7.3.2. left situated unattended at a location or in a condition so that it constitutes a present or potential hazard to persons or property.
- 7.4. An Enforcement Officer may move the item or cause it to be moved to a location determined by them and store it or cause it to be stored or order the owner, operator or person in charge of the item to move the item to a location determined by the Officer and within the time determined by them.
- 7.5. If any item stored pursuant to this section is not, within 30 days of its removal or a longer period as determined by Council, claimed by the owner or someone on their behalf in return for full payment for the removal and storage costs incurred, the item and its contents if any, shall be turned over to Council to be disposed of in a reasonable manner.

## 8. PENALTIES

- 8.1. Any person who contravenes a provision of this Bylaw is guilty of an offense and upon summary conviction is liable to a fine of not less than \$100.00 nor in excess of \$5000.00 and/or eviction from the Park, Campground or Public Lands.
- 8.2. An Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any person, who the Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 8.3. A Violation Tag shall be served upon such person,
  - 8.3.1. personally,
  - 8.3.2. in the case of a corporation, by serving the Violation Tag upon the Manager, Secretary, other executive officer or person apparently in charge of a branch office,

- 8.3.3. in the case of a parking offence, by attaching the Violation Tag to the vehicle, or by mailing a copy to such person by registered mail.
- 8.4. Where a Violation Tag is issued pursuant to the Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the specified penalty in lieu of prosecution as indicated on the Violation Tag, and outlined in Schedule A.
- 8.5. In those cases where a Violation Tag has been issued and if the specified penalty in lieu of prosecution on the Violation Tag has not been paid within the prescribed time, then an Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*.
- 8.6. Notwithstanding section 8.2 of this Bylaw, an Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any person who the Officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 8.7. If a motor vehicle, off highway vehicle, aircraft, boat or trailer is involved in a contravention of this bylaw, the owner/operator of that motor vehicle, off highway vehicle, aircraft, boat or trailer is guilty of an offense.
9. SEVERABILITY
- 9.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of the Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.
10. COMING INTO EFFECT
- 10.1. This Bylaw shall come into effect on the date of the third reading.


READ A FIRST TIME THIS 22<sup>ND</sup> DAY OF APRIL, 2024. A.D.

READ A SECOND TIME THIS 22<sup>ND</sup> DAY OF APRIL, 2024. A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 22<sup>ND</sup> DAY OF APRIL, 2024. A.D.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO

SCHEDULE A

SECTION	OFFENCE	PENALTY 1 <sup>st</sup> Offence	PENALTY 2 <sup>nd</sup> and Subsequent
4.1.1	Causing damage to park or campground	\$250	\$500
4.1.2	Entering prohibited area	\$100	\$500
4.1.3	Unauthorized fire	\$100	\$500
4.1.4	Unauthorized animals	\$100	\$500
4.3	Littering	\$100	\$500
4.4.1	Noise violation	\$100	\$500
4.4.2	Discharging fireworks	\$500	\$2500
4.5	Disorderly conduct	\$100	\$500
4.6	Public urination or defecation	\$250	\$500
5	Camping violations	\$100	\$500
6	Off-leash dog area violations	\$100	\$500
	Nightly and weekly camping rates	As per the Fees, Rates and Services Bylaw	

WD CP

TOWN OF PICTURE BUTTE  
BYLAW NO. 950-24

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO AMEND EXISTING BYLAWS

WHEREAS pursuant to the Municipal Government Act R.S.A. 2000, Chapter M26, a Municipal Council has authority to establish and amend bylaws;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION:

- 1.1. This bylaw may be cited as the "Amending Bylaw for Bylaw No. 872-18 Utility Bylaw".

2. AMENDMENTS:

- 2.1. Bylaw No. 872-18 shall be amended as follows:
- 2.1.1. Delete Section 2.4.2 wording:  
"... the Service Fees, Rates and Charges Bylaw"
  - 2.1.2. Replace deleted words in Section 2.4.2 with:  
"Schedule A"
  - 2.1.3. Delete Section 2.5.1 wording:  
"... the Service Fees, Rates and Charges Bylaw"
  - 2.1.4. Replace deleted words in Section 2.5.1 with:  
"Schedule A"
  - 2.1.5. Delete Section 3.5.1. wording.
  - 2.1.6. Replace Section 3.5.1. wording as:  
"When water restrictions are required, as outlined in Schedule D: Water Rationing Action Plan, the Town may restrict the use of water from the Town supply system. When these restrictions are in effect, all users shall adhere to the restrictions outlined in Schedule D: Water Rationing Action Plan. Notification of such emergency shall be provided by any means available."
  - 2.1.7. Delete Section 3.5.2 wording:  
"... the Service Fees, Rates and Charges Bylaw"
  - 2.1.8. Replace deleted words in Section 3.5.2 with:  
"Schedule A"
  - 2.1.9. Add Schedule A: Specified Penalties
  - 2.1.10. Add Schedule D: Water Rationing Action Plan

3. COMING INTO EFFECT:

- 3.1. This Bylaw shall come into force and effect on the final day of passing thereof.

Read a first time in Council assembled this 13<sup>th</sup> day of May, 2024

Read a second time in Council assembled this 27<sup>th</sup> day of May, 2024

Read a third time in Council assembled this 27<sup>th</sup> day of May, 2024

SEAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

TOWN OF PICTURE BUTTE  
BYLAW NO. 951-24

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE RESPECTING THE REGULATION, LICENCING AND CONTROL OF ANIMALS IN THE TOWN OF PICTURE BUTTE

WHEREAS Section 7 the Municipal Government Act, Statutes of Alberta enables a Council to pass bylaws in regards to the safety, health and welfare of people and the protection of people and property;

AND WHEREAS Section 7 of the Municipal Government Act, Statutes of Alberta enables a Council to pass bylaws to regulate wild and domestic animals and activities in relation to them;

WHEREAS Bylaw No. 885-19 Dog Control Bylaw and Bylaw No. 926-22 Urban Hen Bylaw regulates dogs and chickens in Town;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta duly assembled, thereby enact as follows:

1. CITATION:

- 1.1. This bylaw may be cited as the Animal Regulations Bylaw.

2. DEFINITIONS

2.1. For the purpose of this Bylaw, the following words mean:

1. "Act" means the MUNICIPAL GOVERNMENT ACT, RSA 2000, c, M-26.1, section 541, as amended.
2. "Administrator" means the Chief Administrative Officer of the Town of Picture Butte.
3. "Animal" means any bird, reptile, amphibian or mammal excluding Humans and wildlife;
4. "Council" means the Municipal Council of the Town of Picture Butte.
5. "Designated Officer" means the Chief Administrative Officer, Bylaw Enforcement Officer, R.C.M.P. Officer, Community and Development Officer and or a Peace Officer
6. "Livestock" includes, but is not limited to:
  1. a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
  2. domestically reared or kept deer, reindeer, moose, elk, or bison;
  3. farm bred fur bearing Animals including foxes or mink;
  4. Animals of the bovine species;
  5. Animals of the avian species including, turkeys, ducks, geese, or pheasants; and
  6. all other Animals that are kept for agricultural purposes, but does not include cats, dogs, exotic birds, fish, reptiles, domesticated rabbits, Guinea pigs, gerbils, hamsters, ferrets or chickens.
7. "Order" means a written order in accordance with subsection 545 of the Act.
8. "Owner" means any natural person or body corporate;
  1. who is the licensed Owner of the Animal;
  2. who has legal title to the Animal;
  3. who has possession or custody of the Animal, either temporarily or permanently; or
  4. who harbours the Animal, or allows the Animal to remain on his premises;
9. "Provincial Court" means The Provincial Court of Alberta;
10. "Town" means the Municipal Corporation of the Town of Picture Butte.



### 3. LIVESTOCK

- 3.1. No person shall keep Livestock within the Town of Picture Butte except when;
1. Any livestock is kept on a temporary basis in veterinary clinics and the Rodeo grounds or in auction marts, livestock sales yards, slaughter houses or similar establishments where such animals are held temporarily and for short periods of time and are held in pens used exclusively for purposes which are incidental to the business conducted on the premises provided that such pens or other enclosures meet with the approval of the bylaw officer; or
  2. The Livestock is part of the Town's Jamboree Days annual parade and celebrations.
  3. The Livestock is kept at the Picture Butte High School for educational purposes and the number of Livestock does not exceed five (5) Animal Units.

3.2. For the purpose of Section 3.1.3 "one animal unit" equals the following:

1. One horse, donkey, or mule over a year old
2. Two colts up to one year old
3. One llama/alpaca
4. Two ostrich, emu or other ratite
5. One cow or steer over one year old
6. Two calves up to one year old
7. One elk or bison/buffalo
8. Ten ducks, turkeys, pheasants, geese or other similar fowl or in combination thereof
9. Three sheep or goats over a year old
10. Two swine over a year old
11. Twenty rabbits or hares

Urban Hens as governed under the Town's Urban Hen Bylaw will not count to the five (5) allowable number of animal units for the Picture Butte High School.

- 3.3. Owners are responsible for ensuring the following are complied with:
1. Feces or manure must not be stockpiled, must be properly managed and contained on premise, and regularly disposed of in a healthy, safe manner and shall not run-off, contaminate or cause a nuisance to other lands or water sources;
  2. Dead animals must be promptly and properly removed or disposed of immediately after death to minimise odours, flies and transmission of disease to other animals or humans.
  3. No animal bedding, feed, feathers, or fur shall be permitted to blow onto other properties or create a nuisance in any way.
  4. Livestock are to be fenced in a secure area that prevents free roaming and is constructed in accordance with any laws or regulations for livestock containment and to the satisfaction of Council.

### 4. PENALTIES AND ENFORCEMENT

- 4.1. Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has contravened any provision of this Bylaw, they may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34.
- 4.2. When the person responsible fails to comply with a written notice issued by a Designated Officer of the Town, the Town may remedy the violation at the expense of the Owner. Any unpaid expenses and cost incurred by the Town will be added to the Tax Roll if they remain unpaid 90 days after the fine has been issued.

- 4.3. Any person violating any of the provisions of this Bylaw shall be subject to a fine as outlined in Schedule A.
- 4.4. A Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the Provincial Offences Procedure Act of the Statutes of Alberta 1988, being Chapter P-21.5 and as amended.

5. COMING INTO EFFECT

- 5.1. This bylaw rescinds Bylaw No. 921-21 Animal Regulations Bylaw and any amendments to that bylaw.
- 5.2. This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 26<sup>TH</sup> DAY OF AUGUST, 2024.  
READ A SECOND TIME, THIS 23<sup>RD</sup> DAY OF SEPTEMBER, 2024.  
READ A THIRD TIME AND PASSED THIS 23<sup>RD</sup> DAY OF SEPTEMBER, 2024.

TOWN OF PICTURE BUTTE

  
Cathy Moore  
Mayor

  
Keith Davis  
CAO

SCHEDULE A

Violation Fine (per offence)	\$250.00
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**TOWN OF PICTURE BUTTE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 952-24**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 841-15, BEING THE MUNICIPAL LAND USE BYLAW.**

**WHEREAS** the Council of the Town of Picture Butte wishes to amend the Land Use Bylaw to allow used manufactured homes within approved manufactured home parks on a single title to be a permitted use.

**AND WHEREAS** a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw;

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled does hereby enact the following:

1. Part 2, Land Use Districts, Map and Regulations, Manufactured Home – R2, Permitted Uses is amended by adding the following text:

*Manufactured Home 2 - both double-wide and single wide on an unsubdivided leased plot within approved Manufactured home parks (single title)*

2. Part 2, Land Use Districts, Map and Regulations, Manufactured Home – R2, Section 2, Eligible Homes is amended by adding the following text as subsection 3 and existing text for sequential numbering.

*(3) Used factory-built manufactured homes to be located on an unsubdivided leased plot within approved Manufactured home parks (single title) that meet the age requirement in subsection (2) shall be processed as a permitted use. Any manufactured homes to be located on an unsubdivided leased plot within approved Manufactured home parks (single title) requesting a waiver to the dwelling's age shall be processed as a Discretionary Use Type B.*


3. Part 6, Definitions, Manufactured home park be amended by adding the underlined text:

**Manufactured home park** means a single parcel of land maintained and operated by an owner or a manager providing multiple or grouped spaces on unsubdivided leased plots for the long-term parking and occupancy of manufactured homes and spaces for ancillary facilities including recreation area.

4. Bylaw No. 841-15 being the Land Use Bylaw is hereby amended and consolidated.

5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 9<sup>th</sup> day of September 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

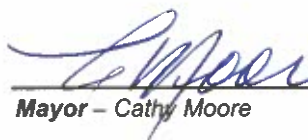
  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **second** time this 28<sup>th</sup> day of October 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

READ a **third** time and finally passed this 28<sup>th</sup> day of October 2024.

  
\_\_\_\_\_  
Mayor – Cathy Moore

  
\_\_\_\_\_  
Chief Administrative Officer – Keith Davis

TOWN OF PICTURE BUTTE  
BYLAW NO. 953-25

BEING A BYLAW OF THE TOWN OF PICTURE BUTTE TO ESTABLISH A  
DEVELOPMENT TAX INCENTIVE.

WHEREAS, Section 364.2(1) of the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended, allows a Council to, by bylaw, for the purpose of encouraging residential development and the provision of housing in the residential assessment class for the general benefit of the municipality, provide full or partial exemptions from taxation or deferrals of the collection of taxes;

AND WHEREAS, Section 364.2(2) of the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended, allows a Council to, by bylaw, for the purpose of encouraging development of properties in the non-residential assessment class, for the general benefit of the municipality, provide full or partial exemptions from taxation or deferrals of the collection of taxes;

AND WHEREAS, the Council of the Town of Picture Butte deems it appropriate to provide for property tax incentives for new multi-unit residential and new non-residential properties in the form of property tax exemptions to encourage development within the boundaries of the Town of Picture Butte;

NOW THEREFORE, the Council of the Town of Picture Butte, in the Province of Alberta duly assembled, thereby enact as follows:

1. CITATION:

- 1.1. This bylaw may be cited as the Tax Exemptions Bylaw.

2. PURPOSE:

- 2.1. The purpose of the Tax Exemptions bylaw is to:
1. Establish an incentive program to encourage new Multi-Unit Residential and new Non-Residential Developments in the Town.

3. DEFINITIONS

- 3.1. For the purpose of this Bylaw, the following words mean:
1. "Act" means the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended.
  2. "Administration" means the administrative and operational arm of the Town comprised of the various departments and business units including all employees who operate under the leadership and supervision of the CAO.
  3. "Applicant" means a person who applies for an Exemption or their Agent as authorized by the land owner through an agent authorization or director's resolution;
  4. "Assessed Person" means an assessed person as that term is defined under Section 284(1)(a) of the Act.
  5. "Chief Administrative Officer" or "CAO" means the chief administrative officer as appointed by Council, including the CAO's delegates;
  6. "Complete Application" means an application submitted pursuant to this Bylaw that includes the Application Form as set out in Schedule "A" attached hereto;
  7. "Completed" means the date of final inspection of the building permit for the Development where Occupancy is permitted.
  8. "Council" means the Municipal Council of the Town of Picture Butte.
  9. "Development" means the construction of a new Multi-Unit Dwelling or Non Residential Structure.
  10. "Dwelling(s) or Units" means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use

for one or more individuals but does not include travel trailers, motor homes, or recreational vehicles.

11. "New Construction" means the Development of a new Residential Multi-Unit Dwelling(s) or a Non Residential Structure(s) constructed on lands where there were no previously existing Structure(s) or where previously existing Structures have been demolished and removed.
12. "Non Residential" means any property that is assessed as Non-Residential.
13. "Residential Multi-Unit means a property that is zoned Residential Multi-Unit – R5 according to the Town's Land Use Bylaw and that has a Dwelling that received a development permit.
14. "Structure" means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land.
15. "Tax Exemption" means an exemption from the municipal portion of taxes for New Construction as defined in this bylaw. For purposes of clarity, the exemption from taxation applies only to taxes imposed by the Town under Part 10, Division 2 of the Act and not any Provincial requisitions
16. "Town" means the Municipal Corporation of the Town of Picture Butte.

#### 4. CRITERIA FOR EXEMPTION

- 4.1. To qualify for an Exemption, the property must meet the following criteria:
  1. Be located within the geographical boundaries of the Town;
  2. Have the Development occur after the coming into effect of this Bylaw;
  3. Have the assessment class of Residential or Non-Residential.
  4. Development is in compliance with the requirements of the Town's Land Use Bylaw and any other applicable municipal bylaw or regulation, as amended from time to time;
  5. The Development must qualify as New Construction as defined by this bylaw;
  6. For Non Residential properties New Construction must increase the assessment of the property by at least \$300,000.
  7. All outstanding property taxes (including amounts added to the tax roll pursuant to the Act) on the property have been paid in full and are not in arrears.
  8. All required Town development approvals concerning the development of the property must have been issued.
- 4.2. Tax Exemptions apply to the municipal portion of property taxes only.
- 4.3. To apply for a Tax Exemption, an Applicant must meet the following criteria:
  1. The Applicant must be the Assessed Person of the property that is the subject of the application; and
  2. The Applicant must have no outstanding monies owing to the Town of Picture Butte; and
  3. The Applicant must submit a complete application in accordance with the terms of this bylaw.

#### 5. APPLICATION FOR AN EXEMPTION:

- 5.1. Applicants must submit a complete application to Administration. The application form is attached in "Schedule A".
- 5.2. Applications must be made within ONE (1) year of the date of assessment notice issued with respect to the property which reflects the New Construction.
- 5.3. Notwithstanding the application requirements set out in this Bylaw, Administration may require any additional information that, at the discretion of Administration, is necessary to complete the application.
- 5.4. Administration will advise Applicants in writing if their application is accepted for consideration. Applications accepted for consideration shall become the property of the Town and may not be returned.

- 5.5. Administration has the discretion to reject applications that are incomplete or illegible.
- 5.6. Administration will advise Applicants in writing with reasons if their application is rejected.

## 6. CONSIDERATIONS OF APPLICATIONS

- 6.1. Administration shall review the Complete Application to determine if it meets the criteria and requirements for a Tax Exemption and provide a written report, with recommendations, to Council.
- 6.2. Council shall review the Complete Application and Administration's report and may:
  1. Pass a resolution allowing a Tax Exemption for the qualifying property; or
  2. Pass a resolution refusing the Tax Exemption Application.

## 7. TAX INCENTIVE NOTICE

- 7.1. Where Council has passed a resolution approving a Tax Exemption, Administration shall notify the Applicant in writing and specify:
  1. The taxation years to which the Tax Exemptions apply, which must not include any taxation year earlier than the taxation year in which the Tax Exemption is granted;
  2. Any condition, the breach of which will result in cancellation and the taxation year or years to which the condition applies.
  3. The extent of the Tax Exemption for each taxation year to which the Exemption applies shall be as such;

1. First Year	100% Property Tax Exemption
2. Second Year	75% Property Tax Exemption
3. Third Year	50% Property Tax Exemption
4. Fourth Year	25% Property Tax Exemption
  4. A Tax Exemption approved by Council shall be honoured notwithstanding this Bylaw being amended or repealed.
  5. A resolution refusing an application must include the reason(s) for refusal.
  6. Administration shall provide written notice of a refusal to an Applicant, including the resolution passed under section 6.2.2.

## 8. CANCELLATION OF TAX INCENTIVE AGREEMENT:

- 8.1. If at any time, after a Tax Exemption is granted under this Bylaw, Administration determines that the property did not meet or has ceased to meet a criterion referred to in Section 4, Council may cancel the Tax Exemption for the taxation year or years in which the criterion was not met or to which the condition applies.
- 8.2. When Council cancels a Tax Exemption, Administration will send a written notice to the Applicant stating the reason for the refusal or cancellation and, if a review of the decision is available, the date by which any application for that review must be made.

## 9. REVIEW OF DECISION:

- 9.1. Where a decision made under this bylaw under Section 8 in respect of a Tax Exemption is the subject of an application for judicial review, the application must be filed with the Court of King's Bench and served not more than 60 days after the date of the decision.

10. SEVERABILITY:

10.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this Bylaw is deemed valid.

11. EFFECTIVE DATE:

11.1. This Bylaw shall come into force and take effect upon receiving the third reading.

12. COMING INTO EFFECT

12.1. This Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME THIS 27<sup>th</sup> DAY OF JANUARY, 2025.

READ A SECOND TIME, THIS 27<sup>th</sup> DAY OF JANUARY, 2025.

READ A THIRD TIME AND PASSED THIS 27<sup>th</sup> DAY OF JANUARY, 2025.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO



**SCHEDULE A**  
**APPLICATION FORM FOR TAX INCENTIVE**

Owners Name:	
Mailing Address:	
Email Address:	
Phone Number:	
Registered Corporate Name: (if applicable)	
Corporate Registry Office Address of Applicant:	
<b>Qualifying Property Information</b>	
Street Address of Property:	
Legal Description:	
Tax Roll No.	
Development Permit No.	
Type of Development:	
Date Construction will be completed:	
Occupancy Date:	

Date

Signature of Owner

Printed Name of Owner

- Notes:**
- 1. Complete applications must be received within ONE (1) year of the date of assessment notice issued with respect to the property which reflects the New Construction.
  - 2. Applications and materials may be included in reports to Council and Council agenda packages. All Qualifying Properties may be subject to inspection by the Town Administration to ensure the validity of the application.

Personal Information required by the Town of Picture Butte application forms is collected under the authority of sections 33(a) and (c) of the Alberta Freedom of Information and Protection of Privacy (FOIP) Act. Your personal information will be used to process your applications(s). Please be advised that your name, address and details related to your application may be included in reports that are available to the public as requires or allowed by legislation. If you have any questions, please get in touch with the Town’s FOIP Head at Michelle Overbeeke, Director of Corporate Services @ 403-732-4555.

**FOR OFFICE USE ONLY**

Date Application Received

Name of Recipient

Date Application Approved/Refused

TOWN OF PICTURE BUTTE  
BYLAW NO. 954-25

A BYLAW OF THE COUNCIL OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN AD HOC CENTENNIAL CELEBRATION COMMITTEE IN THE TOWN OF PICTURE BUTTE

WHEREAS Section 145 of the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended, provides that a Council may pass bylaws in relation to the establishment and functions of Council Committees and the procedures to be followed by Council committees;

WHEREAS Section 146(a) of the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended, provides that a Council Committee may consist entirely of Councillors;

WHEREAS Council wishes to establish an Ad Hoc Council Committee to plan a coordinated approach to celebrating the Town's Centennial anniversary;

NOW THEREFORE, the Municipal Council of the Town of Picture Butte, hereby enacts as follows:

- 1. CITATION
  - 1.1. This bylaw may be cited as the Ad Hoc Centennial Celebration Committee.
- 2. DEFINITIONS
  - 2.1. In this bylaw:
    - 1. "CAO" means the Chief Administrative Officer of the Town of Picture Butte;
    - 2. "Committee" means the Ad Hoc Centennial Celebration Committee;
    - 3. "Council" means the Town of Picture Butte Council;
- 3. AD HOC CENTENNIAL CELEBRATION COMMITTEE
  - 3.1. There is hereby established an Ad Hoc Council Committee to be known as the Centennial Celebration Committee.
- 4. MEMBERSHIP
  - 4.1. The Committee membership should consist of no more than 30 members from the community who can support the purpose of the Committee. Suggested membership is to include, but not be limited to
    - 1. Members of Town Council (2);
    - 2. Member of Lethbridge County Council (1);
    - 3. Town of Picture Butte staff (1);
    - 4. Picture Butte School Representatives (1);
    - 5. School Board Representative (1);
    - 6. Picture Butte & District Chamber of Commerce (1);
    - 7. Community Not for Profit Organisations (1);
    - 8. Town residents (3);
    - 9. Lethbridge County residents (1);
    - TOTAL (12)**
  - 4.2. Seven (7) members of the Committee will constitute quorum. Attendance via electronic means is considered acceptable for meeting quorum and attendance requirements.
  - 4.3. The Committee membership shall elect an Executive Committee consisting of a Chairperson, Vice Chairperson and Treasurer.

- 4.4. The secretary shall be a member of Town administration. The roll of the secretary is to:
1. Prepare agendas, with the Chair, for the meeting;
  2. Keep minutes of the meetings and distribute them to the members.
- 4.5. The following qualifications will be considered for appointing members to the Committee:
- For Organisations:
1. Organisational mandate aligns with the goals and objectives of the Committee.
  2. Demonstrated experience in partnership activities, special event delivery and community engagement.
- For Individuals:
1. Experience working in teams, with community groups, not for profit boards or organisations;
  2. Demonstrated experience in partnership activities, special event delivery and community engagement.
- 4.6 Member responsibilities shall include:
1. Attend and actively participate in all scheduled and special Committee meetings and any Sub-Committee meetings that they are a member;
  2. Be an active participant in delivering the goals and objectives of the Committee;
  3. Attend Town of Picture Butte and other community organisation's events and initiatives, where appropriate and when available;
  4. Solicit and share feedback from the public on the Committee's plans and activities;
  5. Be a resource to Town staff in their area of expertise.
- 4.7 Town of Picture Butte representatives (Council members or Secretary) responsibilities include:
1. Scheduling meetings, booking meeting space and summarise meeting discussions.
  2. Contribute to Committee discussions and work with Committee members to establish the Town wide plan and program for the Centennial celebration of Picture Butte in 2026.
  3. Connect organisations to each other to build partnerships and to share information about the Centennial celebration plans.
  4. Develop and execute Town run programs, events and services that celebrate the Town's Centennial anniversary.
  5. Provide updated on Town initiatives that relate to the goals and objectives of the Committee.
- 4.8 Members shall be appointed until the 31<sup>st</sup> of December 2026.
- 4.9 By mutual consent, the Council and the Committee may with reason, request the resignation of any of the members, prior to the expiry date of the member's appointment.
- 4.10 Any member may resign at any time upon sending a written notice to the Chairperson.
- 4.11 A person may be disqualified from remaining a member of the Committee if he/she fails to attend, without being authorized by a resolution of the Committee to do so, three (3) consecutive Committee meetings.
- 4.12 If a member of the Committee is disqualified from remaining a member under subsection 4.6., he/she is deemed to have resigned his/her seat on the Committee

## 5. SUB-COMMITTEES

- 5.1. Sub-Committees may be formed to provide additional support to the Committee. Individuals and organisations not part of the Committee are eligible to be part of sub-committees.

- 5.2. Sub-Committees will be determined, as necessary, when the Town's Centennial Celebration plan has been developed and additional support and areas of focus are determined.
- 5.3. Sub-Committees may be created for the following areas:
  1. Marketing and Communications
  2. Events, Tourism, and Community Engagement
  3. Volunteers, Youth, Seniors
  4. Budget, Sponsorships and Funding
  5. Publications

## 6. PROCEEDINGS

- 6.1. Meetings of the Committee shall be held on a regular basis at a time to be set by resolution of the Committee.
- 6.2. Any decision of the Committee that is reached by a majority of quorum shall be deemed to be the decision of the Committee.
- 6.3. Minutes of the Committee shall take place at each meeting and will be maintained as an official record of the Town.
- 6.4. A copy the minutes shall be distributed, via email, to Committee members within one week of the meeting whenever possible.

## 7. DUTIES OF THE COMMITTEE

- 7.1. The purpose of the Committee is to:
  1. Plan a coordinated approach to celebrate the Town's Centennial anniversary in 2026.
  2. Bring members of the community together to develop a Town wide plan to celebrate the Town's Centennial anniversary in 2026.
  3. To serve as the community table at which local leaders and organisations will provide input, collaborate, plan and execute events, activities and initiatives that will take place in 2026.
- 7.2. The goals and objectives of the Committee are as follows:
  1. Provide input and support to Town Council and staff to develop a Town wide plan for the Town's Centennial celebration.
  2. Provide input and support to Town Council and staff to develop communications and outreach plans for the Town's Centennial celebration.
  3. Assist in planning and delivering the Centennial celebration events and initiatives as needed.
  4. Collaborate and determine partnership opportunities between community members and the community leading up to and during the anniversary year.
- 7.3. All members of the Committee are expected to abide by the following principles for partnership and partner engagement:
  1. Be open and respectful;
  2. Be inclusive and accessible;
  3. Foster collaborations to spur action; and
  4. Be responsible to the needs of the community.

## 8. BUDGET

- 8.1. Any requirement for funds to deliver events and initiatives by the Town is subject to the approval of Town Council.
- 8.2. Neither the Committee nor any member thereof shall have the power to pledge the credit of the Town in connection with any matter whatsoever; nor shall the Committee or any member thereof have the power to authorize any expenditure to be charged against the Town.

## 9. MEDIA & COMMUNICATIONS

- 9.1. All media contact shall be made through Town Council or staff including the provisions pertaining to the use of the corporate logo, letterhead, website, social media, media advertisements and the like.

## 10. COMMITTEE TERM

- 10.1. The Committee shall be dissolved effective 31<sup>st</sup> December, 2026.

## 11. COMING INTO EFFECT

- 8.1 This Bylaw shall come into force and effect on the date of the third reading.

READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2025.

READ A SECOND TIME THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2025.

READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2025.

TOWN OF PICTURE BUTTE



Cathy Moore  
Mayor



Keith Davis  
CAO