TOWN OF THREE HILLS

BYLAW NO. 1516-26

COMMUNITY STANDARDS BYLAW

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

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, as amended, authorizes a council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS the *Municipal Government Act* authorizes a council to pass bylaws for municipal purposes respecting nuisances, including unsightly property; and

WHEREAS Council believes the regulation of nuisances through a Community Standards Bylaw would benefit the community as a whole; and

WHEREAS the *Municipal Government Act* authorizes a council to pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public; and

WHEREAS the *Municipal Government Act* authorizes a council to pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment; and

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

PART I: PURPOSE, DEFINITIONS, AND INTERPRETATIONS BYLAW TITLE

1. SHORT TITLE

1.1. This Bylaw shall be known as the "Community Standards Bylaw".

2. DEFINITIONS

2.1. In this Bylaw, unless the context otherwise requires:

2.1.1. "Boulevard" shall mean that portion of the road right-of-way located between the property line and the edge or curb of a road excluding any Sidewalk. A boulevard can also mean a median strip located between the two edges of curbs of a road.

2.1.2. "Building" shall include anything constructed or placed on, in, over or under land

but does not include a highway or road or a bridge forming part of a highway or public Highway.

2.1.3. "Building Material" shall mean material or debris which may result from the construction, renovation or demolition of any Building and includes, but is not limited to, wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of Building Material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any Building or other structure.

2.1.4. "Cannabis" shall refer to the meaning given to it in the *Cannabis Act*, as amended.

2.1.5. "CAO" shall mean the Chief Administrative Officer for the Town of Three Hills or his designate.

2.1.6. "Council" shall mean the body of elected officials who govern the Town.

2.1.7. "Defecate" shall mean to discharge waste matter from the bowels.

2.1.8. "Development Authority" shall mean the Development Officer or Municipal Planning Commission pursuant to the Land Use Bylaw, as the context may require.

2.1.9. "Dwelling" shall mean any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and may include multiple dwellings, apartments, lodging and boarding houses, but does not include manufactured homes of any kind, whether standing on wheels or supported by blocks, jacks, or any other temporary foundation.

2.1.10. "Electronic Smoking Device" shall mean an electronic device that can be used to deliver a vapor, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.

2.1.11. "Enforcement Officer" shall refer to a Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act* to enforce Town Bylaws, a member of the Royal Canadian Mounted Police or, when authorized, a Community Enforcement appointed under the *Peace Officer Act*, SA 2006, c. P-3.5, as amended.

2.1.12. "Garbage" shall mean any household or commercial rubbish including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, paper, cardboard, food, discarded clothing or fabric and discarded household items.

2.1.13. "Graffiti" shall mean the defacement or disfigurement of any Property or object, through the performance of any of the following acts:

i. the application of any substance, including paint, ink, stain or whitewash to any surface;

ii. the affixing of any form of adhesion that does not remove cleanly when pulled away from the applied surface; or

iii. the marking, scratching, etching or other alteration or disfigurement of any surface.

2.1.14. "Highway" shall mean any thoroughfare, Street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place or any part of any of the, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes: a Sidewalk, including a Boulevard adjacent to the Sidewalk; a ditch lying adjacent to and parallel with the Highway; and a highway right of way contained between a fence and one (1) side of the Highway, all the land between the fences, or all the land between the fence and the edge of the Highway, as the case may be; but does not include a place declared by regulation not to be a highway.

2.1.15. "Indecent Act" shall mean a sexual act performed in public in the presence of one or more persons.

2.1.16. "Land Use Bylaw" shall mean the Town of Three Hills Land Use Bylaw, as amended.

2.1.17. "Litter" shall mean to throw, place or deposit Garbage on any private or public land within the Town.

2.1.18. "Loiter" shall mean to stand around or move slowly about without apparent purpose or action in a Public Place.

2.1.19. "MGA" shall refer to the *Municipal Government Act*, RSA 2000, C. M-26, as amended from time to time.

2.1.20. "Motor Vehicle" shall mean:

i. a Vehicle propelled by any power other than muscular power; or

ii. a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a Motor Vehicle that runs only on rails.

2.1.21. "Noise" shall mean any sound that is reasonably likely to disturb the peace of others.

2.1.22. "Noxious Weeds" shall mean those weeds as designated in the *Weed Control Act*, SA 2008, C. W-5.1 and accompanying regulations, as amended.

2.1.23. "Nuisance" shall mean anything that is obnoxious, offensive, or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of Noise, smoke, dust, odor, heat, light, fumes, fire, or explosive hazard; which results from the unsightly or unsafe storage of goods, salvage, junk, waste, or other materials; poses a hazard to health and safety; or adversely affects the amenities of the neighborhood or interferes with the rights of neighbors to the normal enjoyment of any land or Building.

2.1.24. "Occupy" or "Occupies" shall mean residing on or to be in apparent possession or control of property.

2.1.25. "Owner" or "Owners" in respect to a parcel of land shall mean:

i. a Person who is registered under the Land Titles Act as the Owner of a Parcel of land;

ii. a Person who is recorded as the Owner of a Property on the tax assessment roll of the Town,

iii. a Person who has purchased or otherwise acquired a Parcel of land, whether he has purchased or otherwise acquired the land directly from the Owner or from another purchaser, and has not yet become the registered Owner thereof;

iv. a Person holding himself out as the Person having the powers and authority of ownership of a Property or Premises or who for the time being exercises the powers and authority of ownership;

v. a Person controlling a Property or Premises under construction; or

vi. a Person who is the occupant of a Property or Premises pursuant to a rental or lease agreement, license or permit.

2.1.26. "Panhandling" shall mean to ask for a gratuitous donation of money, food, or goods of any kind, whether by spoken or printed word, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the *Charitable Fundraising Act*, RSA 2000, c. C-9, or any other legislation permitting the solicitation of charitable donations.

2.1.27. "Person" shall mean any individual, firm, partnership, association, corporation, company or society but unless the context otherwise requires, does not include the Town.

2.1.28. "Pest" shall mean any insect, animal or diseases likely to be destructive, dangerous or a nuisance to human life, plants and/or other animals and other property.

2.1.29. "Premises" or "Property" shall mean any land situated in whole or in part within the Town, including external surfaces of all Buildings and land immediately adjacent to any Building or Buildings and includes any land or Buildings owned or leased by the Town.

2.1.30. "Projectile" shall mean any object projected into space (empty or not) by the exertion of a force.

2.1.31. "Public Place" shall mean any place within the Town to which the public may have either express or implied access including, but not limited to, areas such as Streets, Sidewalks, pathways, trails, and any fixture or sculpture located in such area.

2.1.32. "Residence" shall mean a place used by a person as a permanent private Dwelling, including a structure or land adjacent to the private Dwelling that is used for the convenience or enjoyment of the occupants of the Dwelling. This does not include multi-unit family units.

2.1.33. "Residential District" shall mean a district defined as such in the Land Use Bylaw.

2.1.34. "Residential Use" shall mean the use of land or Buildings for the purpose of a residential development such as a detached Dwelling, duplex, or multiplex as defined in the Land Use Bylaw.

2.1.35. "Sidewalk" shall mean that part of the highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a highway between the curb

line or, where there is no curb line, the edge of the Highway, and the adjacent property line whether or not it is paved or unpaved.

2.1.36. "Smoke", "Smoking", "Vape" or "Vaping" shall mean:

i. inhaling or exhaling the smoke produced by burning Tobacco or Cannabis or vaping; or

ii. holding or otherwise having control of any device or thing containing lit Tobacco or Cannabis or any other substance.

2.1.37. "Special Event" shall mean any public or private event, gathering, celebration, festival, competition, contest, exposition or similar type of activity as approved by the Town.

2.1.38. "Statutory Holiday" shall mean News Years Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Heritage Day, Labour Day, Thanksgiving, Remembrance Day, Christmas Day and Boxing Day.

2.1.39. "Street" shall mean any public thoroughfare for movement of vehicles and pedestrians and where the context so requires include the whole of the place between the boundaries of the Street as recorded in the Land Titles Office and includes an alley, but does not include a parking lot.

2.1.40. "Tobacco" shall mean a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any product for use in nicotine replacement therapy.

2.1.41. "Town" shall mean the Town of Three Hills.

2.1.42. "Unsightly Premises" means any Property, or part of, which is characterized by visual evidence of a lack of general maintenance and upkeep by the excessive accumulation of:

i. uncut grass or excessive weeds;

ii. Garbage, animal material, general waste, biological waste, Building Materials, toxic waste, wood waste, yard material, petroleum products, hazardous materials, disassembled equipment or machinery, broken household chattels or goods,

iii. the whole or any part of any Vehicle or Vehicles which are not registered with the Motor Vehicle Registry for the current year and which are inoperative by reason of disrepair, removed parts or missing equipment;

iv. equipment or machinery which has been rendered inoperative by reason of disassembly, age or mechanical condition, including household appliances; or

v. any other form of scrap, Litter, trash, or waste of any kind.

2.1.43. "Urinate" shall mean to discharge urine from the body.

2.1.44. "Vehicle" shall mean a device in, on or by which a Person or thing may be transported or drawn on a Highway and includes a combination of Vehicles but does not include a mobility aid.

2.1.45. "Violation Tag" shall mean a tag or similar document issued by the Town pursuant

to the *Municipal Government Act*, RSA. 2000, c.M-26 as amended.

2.1.46. "Violation Ticket" shall mean a ticket issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000.

3. INTEPRETATION

3.1. The headings in this Bylaw are for reference purposes only.

3.2. Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.

3.3. Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.

3.4. 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 in force.

PART II: PUBLIC BEHAVIOURS AND NUISANCES

4. CAUSE A DISTURBANCE

4.1. No Person located in a Public Place shall disturb the peace and enjoyment of other members of the public by:

4.1.1. screaming, shouting, or using loud, abusive or grossly insulting language;

4.1.2. being intoxicated by alcohol or other substances; or

4.1.3. openly exposing or exhibiting an Indecent Act.

5. DANGEROUS PRACTICES

5.1. No Person shall throw or propel an object that is reasonably likely to cause injury to another Person or Damage to a Property. A Special Event held on public Property that uses a Projectile, or Projectiles, may require a Special Event permit.

6. DISCHARGE OF A FIREARM AND OTHER PROJECTILES

6.1. No person shall discharge, cause to be discharged or permit to be discharged a firearm within the limits of the Town.

6.2. No Owner or Occupier of a property shall permit the discharge of a firearm on the property that they Own or Occupy, except as provided for in this Bylaw.

6.3. Despite the provisions of Section 6 of the Bylaw, nothing in this Bylaw shall serve to prohibit the discharge of a firearm:

6.3.1. by a member of the R.C.M.P. or any other police officer during the performance of his/her duties as a police officer;

6.3.2. by an animal service officer during the performance of his/her duties as an animal control officer;

6.3.3. a participant of an organized sporting event who is governed by the rules of conduct of that sporting event or a member of a recognized organization that promotes the instruction and safe handling of firearms.

7. GRAFFITI

7.1. No Person or Owner shall cause or place or allow to be caused or placed Graffiti on any Property.

7.2. Within seventy-two (72) hours of becoming aware of the Graffiti, the Property Owner shall ensure that all reasonable steps are taken to minimize the duration and visual impact of Graffiti placed on their Property.

7.3. Notwithstanding the above, street painting, graphic art, street art, murals and other similar art work on Buildings, specified areas and on Sidewalks may be allowed where sanctioned and authorized by the Town in accordance with any applicable bylaws of the Town including any relevant provisions of the Land Use Bylaw; or, made with the consent of the owner of the Premises or Property, the onus of proving the owner's consent rests with the person relying on consent.

8. INTERFERENCE WITH PROPERTY

8.1. No Person shall damage, destroy, deface, tamper or otherwise interfere with any Property.

8.2. An Owner or Occupant of a Premises or Property shall ensure that loose Garbage or Litter is collected and contained on the Premises or Property so that it does do not escape onto adjacent or other neighboring properties.

8.3. An Owner or Occupant of a Premises or Property is responsible for papers and flyers on their Premises or Property regardless of whether they solicited for the delivery of these papers or flyers.

8.4. No person shall deposit commercial flyers on a Premises or Property where sign(s) or notice(s) have been posted and are clearly visible at the entrance to a Dwelling unit indicating that such material is not wanted and/or permitted within the Land Use Bylaw.

9. LITTERING

9.1. A Person shall not leave any Garbage, Litter or other refuse in a Public Place except in a receptacle designated and intended for such use.

10. LOITERING

No Person shall Loiter in a Public Place and thereby obstruct the passage of any other Person.

11. NUISANCE

11.1. No Person shall cause a Nuisance.

12. PANHANDLING

12.1. No person shall engage in Panhandling.

13. URINATION AND DEFECATION

13.1. No Person shall Defecate or Urinate in or on a Public Place or within the sight of the public on any Property except in a facility designed and intended for such use.

13.2. No Person located in or on any Public Place shall Defecate or Urinate into or onto any other Property.

PART III: PROPERTY MAINTENANCE

14. UNTIDY AND UNSIGHTLY PREMISESS OR PROPERTY

14.1. A Person shall not cause or permit a Nuisance to exist on land they Own or Occupy.

14.2. For the purpose of greater certainty, examples of a Nuisance may include, but are not limited to:

14.2.1. Accumulation of material including but not limited to Building Materials, appliances, household goods, boxes, tires, vehicle parts, Garbage or Litter, whether of any apparent value or not;

14.2.2. Any loose Litter, Garbage, construction debris or refuse whether located in a storage area, collection area or elsewhere on the land;

14.2.3. damaged, dismantled or derelict vehicles or Motor Vehicles, whether insured or registered or not;

14.2.4. smelly or messy compost heaps;

14.2.5. grass or weeds higher than ten (10) centimeters;

14.2.6. presence of Noxious Weeds;

14.2.7. production of excessive dust, dirt or smoke;

14.2.8. production of any generally offensive odours;

14.2.9. any tree, shrub, other type of vegetation or any structure:

i. that interferes or could interfere with any public work or utility;

ii. that obstructs any Sidewalk adjacent to the land;

iii. that impairs the visibility required for safe traffic flow at any intersection adjacent to the land; or

iv. that has any rot or other deterioration; and

14.2.10. any accessible excavation, ditch, drain or standing water that could pose a danger to the public.

14.3. No Owner shall cause, allow or permit their Premises to become or to continue to be an Unsightly Premises.

14.4. The Owner of a Premises that carries on or, permits the carrying on of any activities referred to in Section 14.2 shall ensure that all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the Premises.

15. SIDEWALK MAINTENANCE

15.1. A Person shall reasonably remove snow, ice, dirt and debris from any Sidewalk adjacent to land they Own or Occupy within forty-eight (48) hours after the snow or ice has been deposited.

15.2. Snow, ice, dirt and debris will be considered removed when the Sidewalk is cleaned for the entire width of the Sidewalk surface as completely and as reasonably possible.

15.3. Where an Owner is absent, the Owner must make arrangements to ensure the Sidewalks are maintained in accordance with this Bylaw.

15.4. In the event that the Occupier fails to remove said snow, ice, dirt or debris from said Sidewalk(s) fronting, abetting, or adjoining such Premises within the stipulated forty-eight (48) hours following the conclusion of an event, then the Town may:

15.4.1. provide for the clearing of such Sidewalk(s) and invoice the Occupier to recover their actual expenses and an administrative fee as set out in the *Master Rates, Fees and Charges Bylaw*, as amended; and

15.4.2. in the event of non-payment of the Town's invoice thereof by the Occupier, sixty (60) days after the delivery date of the original invoice, the Town may charge such expenses and the administration fee against such Premises as a special assessment to be recovered in a like manner as real property taxes.

16. DEPOSITING OF SNOW, ICE, DIRT, OR DEBRIS ON A SIDEWALK OR STREET BY OCCUPIER OR OTHER PERSON

16.1. No Occupier of any Premises nor any other Person, shall place or allow or cause to be placed any obstruction, including snow, ice, dirt or debris, on or across any Sidewalk or Street, without the written consent of the Town.

16.2. Any obstruction which was placed or caused to be placed on or across any Sidewalk or Street by an Occupier or Person, shall be removed immediately by said Occupier or Person upon verbal notification by the Town.

16.3. In the event that the said Occupier or Person, fails to remove the said obstruction from the said Sidewalk or Street, immediately as instructed, then the Town may, in the event of non-payment of the Town's invoice thereof by the said Occupier or Person, sixty (60) days after the delivery date of the original invoice the Town may charge such expense(s) and the set fine against such Premises as a special assessment to be recovered in a like manner as real property taxes.

17. DAMAGE TO SIDEWALK OR STREET

17.1. No Occupier of any Premises or any other Person shall cause damage to a Sidewalk or Street in the Town by:

17.1.1. striking, picking, cutting with any shovel, pick, crowbar, other metal instruments or motorized equipment, whether such person is engaged in removing snow or ice from such Sidewalk or Street; or

17.1.2. applying fertilizer, or other damaging chemicals, whether such person is engaged in removing snow or ice from such Sidewalk; or

17.1.3. allowing gasoline, diesel fuel or other similar substances to leak or drain onto said Sidewalk or Street.

17.2. Notwithstanding Section 17.1 of this Bylaw, using salt to de-ice Sidewalks or Streets does not constitute damage to said Sidewalk or Street.

17.3. In the event that an Occupier or Person causes injury or damage to a Sidewalk or Street, then the Town may:

17.3.1. provide for the repair of said Sidewalk or Street and invoice the Occupier or Person to recover their actual expenses and an administrative fee as set out in the *Master Rates, Fees and Charges Bylaw*, as amended; and

17.3.2. in the event of non-payment of the Town's invoice thereof by the said Occupier or Person, sixty (60) days after the delivery date of the original invoice the Town may charge such expense(s) and the set fine against such Premises as a special assessment to be recovered in a like manner as real property taxes.

18. ELECTRICAL CORDS

18.1. No Occupier or any other Person shall place or leave an electrical cord on or across any part of a Sidewalk or Street without permission from the Town.

18.2. Any electrical cord which was placed or caused to be placed on or across a Sidewalk or Street by an Occupier or Person, shall be removed immediately by said Occupier or Person upon verbal notification by the Town.

18.3. In the event that an Occupier or Person fails to remove the electrical cord from the Sidewalk or Street, the Town may provide for the removal of said electrical cord and invoice the said

Occupier or Person to recover their actual expenses and a fine as set out in the *Master Rates, Fees and Charges Bylaw*, as amended.

18.4. In the event of non-payment of the Town's invoice thereof by the said Occupier or Person, sixty (60) days after the delivery date of the original invoice the Town may charge such expense(s) and the set fine against such Premises as a special assessment to be recovered in a like manner as real property taxes.

19. BOULEVARDS

19.1. A Person shall maintain any Boulevard adjacent to land they Own or Occupy by:

19.1.1. keeping any grass on the Boulevard cut to a length of no more than ten (10) centimeters, unless otherwise requested;

19.1.2. removing any accumulation of fallen leaves or other debris; and

19.1.3. notifying the Town if tree maintenance is required.

19.2. In the event that an Occupier or Person causes leaves in the Boulevard unattended, the Town may provide for work to be completed on the Boulevard and invoice the said Occupier or Person to recover their actual expenses and a fine as set out in the *Master Rates, Fees and Charges Bylaw*, as amended.

19.3. In the event of non-payment of the Town's invoice thereof by the said Occupier or Person, sixty (60) days after the delivery date of the original invoice the Town may charge such expense(s) and the set fine against such Premises as a special assessment to be recovered in a like manner as real property taxes.

20. GRASS, TREES AND WEEDS & PESTS

20.1. An Owner is required to control all Yard Material on their Property and on any Boulevard which abuts or adjoins the Property, including up to the center of lanes or alleys at the rear or side of the Property.

20.2. An Owner is required to maintain or remove any and all trees on their Property that, due to deterioration of condition or for any other reason, are a public safety hazard.

20.3. Any vegetation overhanging a Boulevard, Highway or alley must be more than four (4) metres above public Sidewalk, Boulevard, Highway or alley. Any vegetation overhanging a public Sidewalk, must be more than three (3) meters above a public Sidewalk.

20.4. An Owner or Occupant of a Premises shall:

20.4.1. cut, mow, or carry out measures designed to inhibit propagation of nuisance or Noxious Weeds or Pests on the Premises or Property that is infested with weeds or Pests;

20.4.2. cut, mow or carry out measures designed to inhibit propagation of uncontrolled grass or other vegetation on the Premises from May 1st through to October 31st to ensure it does not exceed ten (10) centimeters in height;

20.4.3. prune any and all trees or shrubs that interfere with any public utility or public

works, traffic control devices or curb sight lines, that are/or could be a public safety hazard, including lines, poles, conduits, pipes, sewer or other works of the Town or utility company on their Premises or Property;

20.4.4. destroy the restricted weed or Pest if specified by an Enforcement Officer or Weed Inspector pursuant to the *Weed Control Act*, SA 2008, C. W-5.1, as amended; or,

20.4.5. carry out other measures as prescribed by an Enforcement Officer or Weed Inspector pursuant to the *Weed Control Act*, SA 2008, C. W-5.1, as amended.

PART IV: NOISE CONTROL

21. PROHIBITED NOISE

21.1. A Person shall not cause or permit any Noise that disturbs the peace of another individual.

21.2. A Person shall not cause or permit Property they Own or Occupy to be used so that Noise from the Property disturbs the peace of any other individual.

21.3. Except to the extent permitted by the Bylaw, no person shall:

21.3.1. cause excessive Noise within the Town;

21.3.2. operate or permit any other Person to operate within the Town a Motor Vehicle that causes excessive Noise;

21.3.3. allow a domestic animal, which by reason of barking, howling, crying, screeching or other similar Noise, to disturb a person in the vicinity of his home.

22. CRITERIA

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

22.1.1. type, volume, and duration of the sound;

22.1.2. time of day and day of week;

22.1.3. nature and use of the surrounding area; and

22.1.4. any other relevant factor.

23. INDUSTRIAL NOISE

23.1. Nothing in this Bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which is a permitted use or, an approved discretionary use under the Land Use Bylaw.

24. CONSTRUCTION NOISE

24.1. Unless permission from the Development Authority of the Town for such operation is first obtained, no person shall carry on construction of any kind that can be heard beyond the boundary of the construction site between the hours of 10:00 pm and 7:00 am, seven (7) days a week.

24.2. Nothing in this Bylaw shall apply to work carried on by the Town, or by a contractor carrying out the instructions of the Town.

24.3. Nothing in this Bylaw shall prevent contractors carrying out snow removal from commercial or industrial sites which are not adjacent to Residential Districts.

25. ENGINE RETARDER BRAKES

25.1. A Person shall not use engine retarder brakes to slow or stop a Motor Vehicle at any time within the town limits of Three Hills.

26. MOTOR VEHICLES

26.1. If a Motor Vehicle is the cause of any sound that contravenes a provision of this Bylaw the Owner of that Motor Vehicle is liable for the contravention.

26.2. No person may conduct any repair work on a Motor Vehicle, including mechanical repairs, auto body work, frame repair, collision repair, auto painting or modifications to the body or rebuilding of a Motor Vehicle, on any Premises in a Residential District unless:

26.2.1. the activity does not create a Nuisance or Noise complaints from the neighborhood;

26.2.2. there is no escape of offensive, annoying, or noxious odors, fumes or smoke from the Premises;

26.2.3. vehicle fluids, oil, gasoline products or other hazardous material are properly disposed of and not swept or washed onto a highway or down storm or sanitary sewers;

26.2.4. all discarded automobile parts and materials are properly stored and disposed of from the Premises; and

26.2.5. the activity is routine maintenance work done on any Motor Vehicle, provided that all building and fire code regulations are met.

27. SOUND AMPLIFYING EQUIPMENT

27.1. No person shall operate sound amplifying equipment from any Public Space so as to unduly disturb residents of the Town without permission from the Town.

28. NOISE EXEMPTIONS AND ALLOWANCES

28.1. A person may make a written application to the CAO for a special permit allowing for Noise

or sound levels that would otherwise violate this Bylaw.

PART V: CANNABIS, SMOKING & VAPING REGULATIONS

29. GENERAL PROVISIONS

29.1. A person who Owns or Occupies a place where smoking is prohibited by this part shall not permit any individual to Smoke, Vape or use an Electronic Smoking Device in that place.

29.2. Nothing in this part prohibits a person from Smoking in an area of a Building designed, intended and used exclusively as a private Residence.

29.3. Subject to the provisions of this Section, a person who Owns or Occupies a place where Smoking is otherwise prohibited by this part may permit smoking in that place when Smoking is permitted pursuant to provincial or federal legislation or powers exercised pursuant to such legislation.

29.4. If Smoking is permitted pursuant to this Section, the person who Owns or Occupies the Premises shall ensure that:

29.4.1. Smoke does not enter any place where Smoking is prohibited;

29.4.2. signage is clearly and prominently at each entrance to a place where Smoking is permitted indicating that smoking is permitted inside and;

29.4.3. no person under the age of 18 years of age is allowed to enter or remain in a place where smoking is permitted.

29.5. Persons under the age of 18 years shall not Smoke.

30. CANNIBIS SMOKING RESTRICTIONS

30.1. Except as permitted in this part, no person shall use or consume Cannabis in a Public Place or any other place other than a Residence, temporary residence, licensed Premises, or a place prescribed in the regulations where Cannabis may be used or consumed.

30.2. Notwithstanding subsection 30.1, a person may Smoke in an area designated as a smoking area for Cannabis under the provisions of this Bylaw.

30.3. No person may Smoke or Vape Cannabis in a Public Place.

30.4. A person who is entitled to possess medical Cannabis pursuant to a medical document issued pursuant to the Access to Cannabis for Medical Purposes Regulations (Canada) may Smoke or Vape Cannabis in accordance with that medical document and the *Gaming, Liquor and Cannabis Act.*

30.5. A person must, on demand of an Enforcement Officer, produce a copy of the person's medical document.

31. TOBACCO RESTRICTIONS

31.1. No person may Smoke or Vape and Tobacco product in a Public Place, except as permitted below.

31.2. A person may Smoke or Vape a Tobacco product on a Sidewalk or on a surface parking lot provided that the person is:

31.2.1. More than five (5) meters from a doorway, window or air intake of a Building or patio and

31.2.2. More than ten (10) meters from a(n):

i. Entrance or exit to an educational facility;

ii. Entrance or exit to a child care facility;

iii. Entrance or exit to a place of worship;

iv. Entrance or exit to a community recreation facility;

v. Child Playground;

vi. Public park;

vii. Sports or playing field;

viii. Skate park;

ix. Outdoor pool or splash park;

x. Tennis Court.

31.3. An employer, operator or proprietor must not permit a person to Smoke on Premises controlled or owned by them where it is prohibited by this Bylaw.

PART VI: AUTHORITY & ENFORCEMENT

32. POWERS OF THE CAO

32.1. Without restricting any other power, duty or function granted by this Bylaw, the CAO may:

32.1.1. carry out any inspections to determine compliance with this Bylaw;

32.1.2. take any steps or carry out any actions required to enforce this Bylaw;

32.1.3. take any steps or carry out any actions required to remedy a contravention of this Bylaw;

32.1.4. establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of Property and such procedures may differ depending on the type of Property in question;

32.1.5. establish areas where activities restricted by this Bylaw are permitted;

32.1.6. establish forms for the purposes of this Bylaw;

32.1.7. issue permits with such terms and conditions as are deemed appropriate;

32.1.8. establish the criteria to be met for a permit pursuant to this Bylaw;

32.1.9. and delegate any powers, duties or functions under this Bylaw to an employee of the Town.

33. ENFORCEMENT OFFENCE

33.1. A Person who contravenes this Bylaw is guilty of an offence.

33.2. An Enforcement Officer is hereby authorized and empowered to issue a notice, Violation Tag, or Ticket to any Person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

34. FINES AND PENALTIES

34.1. A Person who is guilty of an offence is liable to a fine as outlined in the *Master Rates, Fees and Charges Bylaw*, as amended.

35. VIOLATION TAG

35.1. An Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

36. VIOLATION TICKET

36.1. If a Violation Tag has been issued and if the specified penalty has not been paid within the prescribed time, then an Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act.*

36.2. Notwithstanding Section 36.1, an Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

37. ORDER TO COMPLY

37.1. If the CAO believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the CAO may, by written order, require any Person responsible for the contravention to remedy it.

37.2. The order may:

37.2.1. direct a Person to stop doing something, or to change the way in which the Person is doing it;

37.2.2. direct a Person to take any action or measures necessary to remedy the contravention of the Bylaw and, if necessary, to prevent a re-occurrence of the contravention;

37.2.3. state a time within which the Person must comply with the directions;

37.2.4. state that if the Person does not comply with the directions within a specified time, the Town will take the action or measure.

37.3. A Person named in and served with an order issued pursuant to this Section shall comply with any action or measure required to be taken within the time specified.

37.4. An order issued pursuant to this Section may be served:

37.4.1. in the case of an individual:

i. by delivering it personally to the individual;

ii. by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age; or

iii. by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the Town or at the Land Titles registry;

37.4.2. in the case of a corporation:

i. by delivering it personally to any director or officer of the corporation;

ii. by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or

iii. by mail addressed to the registered office of the corporation.

PART VII: SEVERABILITY, REPEALS & ENACTMENT

38. SEVERABILITY

38.1. 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.

39. REPEALS

39.1. The following bylaws are hereby repealed: Bylaw 1453-20 – Community Standards Bylaw

40. ENACTMENT

40.1. This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

READ A FIRST TIME THIS 13TH DAY OF OCTOBER 2026.

READ A SECOND TIME THIS 13TH DAY OF OCTOBER 2026.

READ A THIRD TIME THIS 13TH DAY OF OCTOBER 2026.

(CHIEF ELECTED OFFICIAL)

(CHIEF ADMINISTRATIVE OFFICER)

SEAL