



#### **BYLAW NO. 04.14**

*BEING A BYLAW OF YELLOWHEAD COUNTY IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH FINES AND PENALTIES FOR THE CONTRAVENTION OF ANY  
PROVISION OF THE LAND USE BYLAW*

**WHEREAS**, the Municipal Government Act, Being Chapter M-26, R.S.A., 2000, as amended provides that Council may pass bylaws for municipal purposes respecting, amongst other things, the enforcement of bylaws including any or all of the matters in Section 7(i);

**AND WHEREAS**, the Yellowhead County Council wishes to establish fines and penalties for the contravention of any provision of the Land Use Bylaw.

**NOW THEREFORE**, the Yellowhead County Council, in the Province of Alberta, duly assembled, hereby enacts as follows:

#### **DEFINITIONS**

- 1) **Bylaw Officer** – shall mean a Peace Officer appointed under the Peace Officer Act, while the Peace Officer is in the exercise or discharge of the Peace Officer's powers or duties, or a Bylaw Enforcement Officer appointed by the Council under the authority of the Municipal Government Act, R.S.A. 2000, c M-26.
- 2) **Violation Tag** – shall mean a tag or similar document used by the County pursuant to the Municipal Government Act R.S.A. 2000, c.M-26, as amended,
- 3) **Violation Ticket** – shall mean a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, R.S.A. 2000, c.P-34 amended, and Regulations there under.



## OFFENCES AND FINES

- 3) A person who contravenes or fails to comply with any provisions of the Land Use Bylaw is guilty of an offence and is liable upon summary conviction to the fines as specified in Schedule "A".
- 4) Bylaw Officer who reasonably believes that a person has contravened any provision of the Land Use Bylaw, may without restricting the availability of other remedies under this Bylaw or at law, serve upon the person a violation tag, in the form approved by Council, requiring payments to Yellowhead County of the specified penalty for the particular offence as provided in Schedule "A"..
- 5) Where a Bylaw Officer reasonably believes that a person has contravened any provisions of the Land Use Bylaw, the Bylaw Officer may, in addition to other remedy at law, serve upon the person a violation ticket, in the form provided under the *Provincial Offences Procedure Act*, allowing payment of the specified penalty for the particular offence as provided in Schedule "A", which may be amended from time to time by Council resolution, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.
- 6) Where a contravention of the Land Use Bylaw is a continuing contravention, a new violation ticket may be issued for each day that the contravention continues.
- 7) Where a person is convicted of a second, third or subsequent offence under a particular section of the Land Use Bylaw, and where that offence has occurred within 12 months after the date of the occurrence of the first offence under that section of this Bylaw, the specified penalties applicable upon conviction of such second, third or subsequent offence shall be the amount specified in Schedule "A".
- 8) This section shall not prevent any Bylaw Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincials Offenses Procedures Act*, or from laying an information in lieu of issuing a violation ticket.



**Schedule "A"**

<b>FINES &amp; PENALTIES – CONTRAVENTION OF ANY PROVISION OF THE LAND USE BYLAW</b>	
FIRST OFFENCE	\$500.00
SECOND OFFENCE	\$750.00
THIRD OFFENCE	\$1000.00
DEVELOPMENT WITHOUT AN APPROVED DEVELOPMENT PERMIT	DOUBLE THE APPLICATION FEE



9) The fees are set out in "Schedule A".

This bylaw comes into force at the beginning of the day that it is passed in accordance with Section 189 of the Municipal Government Act, Being Chapter M-26, R.S.A., 2000.

READ a first time this 25 Day of March A.D., 2014

READ a second time this 25 Day of March A.D., 2014

READ a third time this 25 Day of March A.D., 2014

SIGNED this 25 Day of March A.D., 2014

  
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Mayor Gerald Soroka

  
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Chief Administrative Officer, Jack Ramme