

## BYLAW 2022-01

### BEING A BYLAW OF THE TOWN OF CALMAR TO REGULATE THE APPOINTMENT OF BYLAW OFFICER(S)

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**WHEREAS**, Section 7(i) of the Municipal Government Act, RSA 2000, c M-26, a council may pass bylaws respecting the enforcement of bylaws;

**AND WHEREAS**, Section 555 of the Municipal Government Act, a person who is appointed as a bylaw enforcement officer is, in the execution of those duties, responsible for the preservation and maintenance of the public peace;

**AND WHEREAS**, Section 556 of the Municipal Government Act, a council must pass a bylaw specifying the powers and duties of bylaw enforcement officers and establishing disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by bylaw enforcement officers;

**AND WHEREAS**, Part 13, division 4 of the Municipal Government Act, the municipality may carry out numerous enforcement powers and duties, which may be exercised by bylaw enforcement officers;

**AND WHEREAS**, Section 1(k)(iv) of the Provincial Offences Procedure Act, RSA 2000, c P-34, a person who is employed or retained by a municipality and provided written authorization to issue violation tickets under that Act will be considered a "peace officer" for the purposes of that Act;

**AND WHEREAS**, Sections 1(g)(ii) and 7 of the Weed Control Act, SA 2008, c W-5.1, council is the local authority for the purposes of that Act and the local authority must appoint inspectors to enforce and monitor compliance with this Act within the municipality;

**AND WHEREAS**, Sections 1(g)(i) and 9 of the Agricultural Pests Act, RSA 2000, c A-8, council is the local authority for the purposes of that Act and the local authority may appoint inspectors to carry out that Act and the regulations;

**NOW THEREFORE**, THE COUNCIL OF THE TOWN OF CALMAR, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

#### 1. INTERPRETATION AND DEFINITIONS:

1.1 This Bylaw shall be cited as the "Bylaw Officer Bylaw".

In this bylaw, unless the context otherwise requires:

- (a) "**Agricultural Pests Act**" means the Agricultural Pests Act, RSA 2000, c A-8, and associated regulations, as amended;
- (b) "**Bylaw enforcement officer**" means an individual appointed by the Chief Administrative Officer to carry out enforcement duties pursuant to this bylaw;
- (c) "**Municipal Government Act**" means the Municipal Government Act, RSA 2000, c M-26, as amended;
- (d) "**Municipal tag**" means a form alleging an offence of a Town bylaw allowing for voluntary payment of the prescribed fine;
- (e) "**Provincial Offences Procedure Act**" means the Provincial Offences Procedure Act, RSA 2000, c P-34, and associated regulations, as amended;
- (f) "**Town**" means the corporate limits of The Town of Calmar;

- (g) **“Chief Administrative Officer”** means the chief administrative officer of the Town or delegate;
- (h) **“Trespass to Premises Act”** means the Trespass to Premises Act, RSA 2000, c T-7, as amended;
- (i) **“Violation ticket”** has the same meaning as defined in the Provincial Offences Procedure Act; (j) **“Weed Control Act”** means the Weed Control Act, SA 2008, c W-5.1, and associated regulations as amended.

## **2. CHIEF ADMINISTRATIVE OFFICER ROLE POWERS, DUTIES, AND FUNCTIONS**

### **2.1 CHIEF ADMINISTRATIVE OFFICER MAY:**

- (a) appoint individuals as bylaw enforcement officers in accordance with this bylaw;
- (b) revoke, suspend, or modify the appointments of bylaw enforcement officers in accordance with this bylaw;
- (c) monitor and investigate complaints of misuse of power by bylaw enforcement officers;
- (d) take whatever actions or measures are necessary to eliminate an emergency in accordance with section 551 of the Municipal Government Act;
- (e) add any amounts owing to the Town to a tax roll in accordance with the Municipal Government Act or another enactment;
- (f) exercise all powers, duties, and functions of a local authority under the Weed Control Act or Agricultural Pests Act;
- (g) grant written authorization to issue violation tickets under the Provincial Offences Procedure Act;
- (h) authorize or require bylaw enforcement officers to carry out any powers, duties, or functions necessary to fulfill their responsibility for the preservation and maintenance of the public peace; and
- (i) delegate any of the Chief Administrative Officer’s powers, duties, or functions contained in this section to any employee of the Town, including the option to further delegate those powers, duties, or functions.

## **3. GENERAL APPLICATION**

3.1 This bylaw applies to every bylaw of the Town of Calmar.

### **3.2 SERVICE**

- (a) An order, notice, or other document required or authorized to be issued by a bylaw enforcement officer or by the Chief Administrative Officer pursuant to this bylaw may be served by:
  - (i) sending the order, notice, or other document by regular mail to the mailing address of the person named in the order, notice, or document;
  - (ii) posting the order, notice, or other document in a conspicuous location at the property subject to the order, notice, or other document;

- (iii) personally serving the order, notice, or other document on the person named in the order, notice, or other document.
- (b) Unless otherwise specified in a bylaw or enactment, service of an order, notice, or other document in accordance with section 23(1) of the Provincial Offences Procedure Act is presumed to be effected:
  - (i) 7 days from the date of mailing if the order, notice, or other document is mailed to an address in Alberta; or
  - (ii) 14 days from the date of mailing if the order, notice, or other document is mailed to an address outside of Alberta but within Canada.
- (c) Unless otherwise specified in a bylaw or enactment, service of an order, notice, or other document in accordance with section 23(1) of the Provincial Offences Procedure Act is effective on the date of delivery.


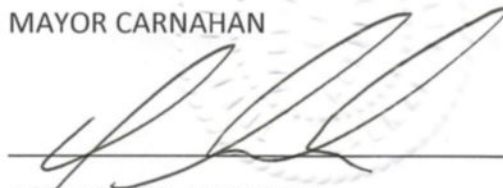
#### 4. EFFECTIVE DATE:

This bylaw comes into force on the day it is given final reading.

READ A FIRST TIME THIS 17<sup>th</sup> DAY OF January 2022

READ A SECOND TIME THIS 17<sup>th</sup> DAY OF January 2022

READ A THIRD TIME THIS 17<sup>th</sup> DAY OF January 2022

  
\_\_\_\_\_  
MAYOR CARNAHAN  
  
\_\_\_\_\_  
ACTING CAO ANDERSON

# SCHEDULE A

## OATH OF OFFICE

I, [name of bylaw enforcement officer], swear that I will diligently, faithfully, and to the best of my ability execute according to law the office of bylaw enforcement officer as stipulated on my appointment as a bylaw enforcement officer of even date.

So help me God.

\_\_\_\_\_  
Signature of Bylaw Enforcement Officer

\_\_\_\_\_  
Date

**OR**

I, [name of bylaw enforcement officer], solemnly swear and truly declare and affirm that I will diligently, faithfully, and to the best of my ability execute according to law the office of bylaw enforcement officer as stipulated on my appointment as a bylaw enforcement officer of even date.

\_\_\_\_\_  
Signature of Bylaw Enforcement Officer

\_\_\_\_\_  
Date

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt.$$

2. In the second part, we consider the function  $F(x)$  defined by the equation

$$F(x) = \int_0^x \frac{1}{1+t^2} dt.$$