

## **SIX: Contravention and Enforcement**

### **Section 30: Contravention**

- 30.1 No person shall contravene this Bylaw by commencing or undertaking a development, use, or sign that is not permitted under this Bylaw.
- 30.2 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for issuing a development permit under this Bylaw.
- 30.3 No person shall contravene a condition of a permit issued under this Bylaw.
- 30.4 A Bylaw Enforcement Officer or the Development Officer may enforce the provisions of this Bylaw, the Municipal Government Act and its regulations, the conditions of a development permit or subdivision approval.

### **Section 31: Stop Order**

- 31.1 If the Development Officer finds that a development, land use or use of a building is not in accordance with the Act, this Bylaw, a development permit or subdivision approval, the Development Officer and/or Bylaw Enforcement Officer may issue a written Stop Order to the owner, the person in possession of the land or building, or other person responsible for the contravention, or all or any of them to:
  - 31.1.1 Stop the development or use of the land or building in whole or part as directed by the notice;
  - 31.1.2 Demolish, remove or replace the development; or
  - 31.1.3 Carry out any other actions required by the notice so that the development or use of the land or building complies with the Municipal Government Act or this Bylaw, a development permit or a subdivision approval within the time set out in the notice.
- 31.2 A person may appeal a Stop Order to the Subdivision and Development Appeal Board.
- 31.3 If a person fails or refuses to comply with a Stop Order, the Town may, in accordance with Section 542 of the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 31.4 The Town may register a caveat with respect to the Stop Order in the Land Titles Office.

## Section 32: Offences and Penalties

- 32.1 A person who contravenes or 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 less than \$250.00 and not more than \$10,000.00.
- 32.2 Where a Bylaw Enforcement Officer reasonably believes that a person has contravened any provision of this Bylaw, the Bylaw Enforcement Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedures Act, allowing payment of the specified penalty for the particular offence, 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.
- 32.3 This section shall not prevent any Bylaw Enforcement Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act.
- 32.4 A Bylaw Enforcement Officer who believes on reasonable grounds that a sign is not authorized pursuant to the Bylaw may remove and impound the sign:
- 32.4.1 In the case of a sign for which a permit is issued, after 7 days notice to the sign permit holder, delivered to the address shown on the sign permit; or
  - 32.4.2 In the case of a sign for which no permit has been issued, without prior notice to any person.
- 32.5 Notwithstanding Section 32.5, Bylaw Enforcement Officer may not remove a sign which is located in or upon or which is affixed to a building without either the consent of the owner of the building, the consent of the owner of the sign or a court order.
- 32.6 Following the impounding and removal of a sign, the Development Officer and/or Bylaw Enforcement Officer shall cause a notice to be sent to the owner of the sign (if known) or to the owner of the premises from which the sign is removed, advising of the removal. The owner of the sign may secure its release from impound upon payment in full of all applicable impounding and storage charges and fines.
- 32.7 An impounded sign which has not been redeemed within 60 days of the date of service of notice may be disposed of by the Town without further notice to any person and without any liability to compensate the owner of the sign.