

**SUMMER VILLAGE OF WHITE SANDS COUNCIL MEETING  
AGENDA  
NOVEMBER 15, 2013  
12:00 NOON  
TOWN OF STETTLER BOARD ROOM**

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1. Call to Order
2. Additions to Agenda
3. Minutes
  - a. Adoption of the Minutes of the Regular Summer Village of White Sands Council Meeting held on June 19, 2013 2-6
4. Financial
  - a. Bank Reconciliation as of October 31, 2013 7
  - b. Statement of Revenue & Expenses as of October 31, 2013 8
  - c. Accounts Payable as of November 13, 2013 9-23
5. Administration/Current Concerns
  - a. 2014 Interim Operating Budget 24
  - b. Discussion re: Christmas Bonus/Town Staff Appreciation 25
  - c. Draft Revisions to Land Use Bylaw 26-67
  - d. Municipal Property Consultants (2009) Ltd. – Assessor Contract 68-71
  - e. Council/Staff Reports
6. Correspondence
  - a. Red Deer River Watershed Alliance 2014 Membership 72
  - b. Association of Summer Villages of Alberta (ASVA) – MGA Review 73-75
7. Bylaws
  - a. 142-13 re: Community Standards Bylaw 76-83
8. Additions
9. In-Camera Session
10. Next Meeting Date
11. Adjournment

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE SUMMER VILLAGE OF WHITE SANDS COUNCIL  
HELD ON JUNE 19, 2013  
TOWN OF STETTLER BOARD ROOM**

**Present:** Mayor Barry Guenette (Teleconference)  
Councillor Lorne Thurston  
Councillor Colin Adair (Teleconference)  
Chief Administrative Officer Greg Switenky  
Office Administrator Laurie Tait

**Absent:** None

1. **Call to Order:** Mayor Guenette called the Council Meeting to order at 12:23 p.m.

2. **Agenda Additions/Approval**

**Motion 13:06:01** Moved by Councillor Thurston to approve the agenda as presented.

MOTION CARRIED  
Unanimous

3. **Adoption of Minutes**

- (a) Minutes of the Regular Council Meeting held on April 24, 2013

**Motion 13:06:02** Moved by Councillor Adair that the Minutes of the Regular Council Meeting held on April 24, 2013 be approved as presented.

MOTION CARRIED  
Unanimous

4. **Financial** (a) Bank Reconciliation as of May 31, 2013

**Motion 13:06:03** Moved by Councillor Thurston that the Summer Village of White Sands Council approve that Financial Item 4(a) be accepted for information.

MOTION CARRIED  
Unanimous

- (b) Statement of Revenue & Expenses as of May 31, 2013

**Motion 13:06:04** Moved by Councillor Adair that the Summer Village of White Sands Council approve that Financial Item 4(b) be accepted for information.

MOTION CARRIED  
Unanimous

- (c) Accounts Payable as of June 14, 2013 in the amount of \$44,121.96

**Motion 13:06:05** Moved by Councillor Thurston that the Accounts Payable for the periods: April 26 (\$5,424.12), May 27 (\$19,805.00) & June 14 (\$18,892.84) in the amount of \$44,121.96 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

5. Administration/Current Concerns

(a) 2013 Operating Budget

CAO G. Switenky informed Council that property values for 2013 taxation purposes increased by \$3.47 million or 3.65% over 2012. Of this amount \$2.03 million or 2.14% is due to new residential construction growth with the remaining 1.51% being appreciation/inflation. The 2013 Operating Budget includes tax revenue increases over 2012 for additional property tax generated from new residential construction growth estimated to be \$2,459.

The Summer Village of White Sands will continue to generate needed tax revenues in 2013 by maintaining the minimum residential municipal tax at \$250 per property (\$19,630), and by increasing the flat Special Tax per parcel by \$22 to \$226 (+\$87,460) to help pay for operational water commission related costs (\$22), increased operational costs associated with the maintenance of roads/boulevards/ditches in the Village (\$114), as well as to pay for regional standby fire protection apportionment (\$90).

CAO G. Switenky further explained the purpose of the provincially determined Equalized Assessment base and its financial effect on the School requisition and the Seniors Housing Authority requisition. The School (Education) requisition has increased by \$46,945 (23.3%) over 2012 and the Senior Housing Authority requisition has increased by \$2,192 (8.7%).

The 2013 Operating Budget includes a contingency of \$20,825 (2012 \$22,915), which can be used to fund capital items, increase reserves and/or use for contingency/emergency purposes.

Residential tax changes will vary from property to property based on market value forces, which greatly influence assessments on land and improvements independently within areas of the Summer Village, however all properties will see a \$22 flat increase in the Special Tax Levy, as well as a significant school tax increase, likely over 20% on all parcels.

With a 2% property tax increase the municipal tax rate has increased slightly to compensate for the relatively low average appreciation of 1.51% in assessed values. Most properties will see a further combined property tax increase because new growth of only 2.14% will not generate enough new education/housing tax revenue to offset the increases in these requisitions.

Section 353 of the *Municipal Government Act (MGA)* authorizes a Council to impose a tax in respect of property in the municipality to raise revenue to be used toward the payment of the expenditures set out in the budget of the municipality. Section 357 of the *MGA* authorizes a Council to specify a minimum amount payable as a property tax, and Sections 382 to 387 of the *MGA* allow a Council to raise revenue to pay for a specific service or purpose by imposing a special tax on each non-exempt parcel of land. Administration recommends that the 2013 Operating Budget be adopted by Council prior to the Tax Rate Bylaw and the Special Tax Bylaw being given all required readings.

Discussion ensued regarding various financial estimates, assumptions and the level of capital contribution/contingency that is included in the 2013 Operating Budget. The financial impact on various sample properties was reviewed.

It was noted that the 2013 Operating Budget estimates that \$20,825 will be available as a contingency, savings or for capital expenditure purposes. As well as \$12,000 from a Streets Improvement Program (SIP) roads grant.

**Motion 13:06:06** Moved by Councillor Adair that the Summer Village of White Sands Council adopt, per Section 242(1) of the *Municipal Government Act*, the 2013 Operating Budget for the Summer Village of White Sands as presented with expenditures and contingency/reserve totaling \$503,463.31

MOTION CARRIED  
Unanimous

Mayor Guenette with the mutual consent of Council varied the order of the agenda to consider Bylaws 140-13 & 141-13.

7. **Bylaws** (b) 140-13 re: 2013 Tax Rate Bylaw

**Motion 13:06:07** Moved by Councillor Thurston that the Summer Village of White Sands Council give first reading to Bylaw 140-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:08** Moved by Councillor Adair that the Summer Village of White Sands Council give second reading to Bylaw 140-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:09** Moved by Councillor Thurston that the Summer Village of White Sands Council give permission for third and final reading to Bylaw 140-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:10** Moved by Councillor Adair that the Summer Village of White Sands Council give third and final reading to Bylaw 140-13 as presented.

MOTION CARRIED  
Unanimous

(c) 141-13 re: 2013 Special Tax Bylaw

**Motion 13:06:11** Moved by Councillor Thurston that the Summer Village of White Sands Council give first reading to Bylaw 141-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:12** Moved by Councillor Adair that the Summer Village of White Sands Council give second reading to Bylaw 141-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:13** Moved by Councillor Thurston that the Summer Village of White Sands Council give permission for third and final reading to Bylaw 141-13 as presented.

MOTION CARRIED  
Unanimous

**Motion 13:06:14** Moved by Councillor Adair that the Summer Village of White Sands Council give third and final reading to Bylaw 141-13 as presented.

MOTION CARRIED  
Unanimous

5. Administration/Current Concerns Con't

(b) Appointment of Returning Officer

**Motion 13:06:15** Moved by Councillor Thurston that the Summer Village of White Sands in accordance with the *Local Authorities Election Act*, approves the appointment of Greg Switenky to be the Returning Officer for the Summer Village of White Sands 2013 General Election.

MOTION CARRIED  
Unanimous

(c) Notice of Nomination Day – June 29, 2013 10:00 am – 12:00 Noon

(d) Reminder of AGM on June 29, 2013 at 9:00 am

CAO G. Switenky reviewed agenda items for the Annual General Meeting to be held on June 29, 2013 at 9:00 a.m.

(e) Council/Staff Reports

6. Correspondence

(a) RhinoSnot Canada Inc.

Councillor Thurston advised that the County of Stettler has prepared 3 test site areas on their property and will advise of the results.

(b) Camrose County – Subdivision Referral Notice – Pelican View Estates ASP

**Motion 13:06:16** Moved by Councillor Adair that correspondence items 6 (a) and 6 (b) be accepted for information.

MOTION CARRIED  
Unanimous

7. **Bylaws** (a) 139-12 re: Buffalo Lake South Shore Inter-Municipal Development Plan

CAO G. Switenky explained that Bylaw 139-12 is for the adoption of the Buffalo Lake South Shore Inter-Municipal Development Plan. He noted that a Joint Public Hearing was held on May 4<sup>th</sup>, 2013 and that Notice of Intentions was published in the April 17 & 24, 2013 and May 1, 2013 issues of the Stettler Independent. CAO G. Switenky advised that Bylaw 139-12 was amended at the Joint Public Hearing. It was noted that all members of the Summer Village of White Sands Council attended the Public Hearing are thereby eligible to vote.

Bylaw 139-12 is here today (June 19) for 2<sup>nd</sup> and 3<sup>rd</sup> Readings.

- Motion 13:06:17** Moved by Councillor Adair that the Summer Village of White Sands Council give second reading to Bylaw 139-12 as amended.

MOTION CARRIED  
Unanimous

- Motion 13:06:18** Moved by Councillor Thurston that the Summer Village of White Sands Council give third and final reading to Bylaw 139-12 as amended.

MOTION CARRIED  
Unanimous

- (b) 140-13 re: 2013 Tax Rate Bylaw – Dealt with Under 5(a)  
(c) 141-13 re: 2013 Special Tax Bylaw – Dealt with Under 5(a)

8. **Additions** (a) None

9. **In-Camera Session** (a) None

10. **Next Meeting Date** Annual General Meeting, June 29, 2013 at 9:00 a.m.

11. **Adjournment**

- Motion 13:06:19** Moved by Councillor Adair that this Regular Meeting of the Summer Village of White Sands Council be adjourned.

MOTION CARRIED  
Unanimous at 12:55 p.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

**SUMMER VILLAGE OF WHITE SANDS  
BANK RECONCILIATION  
AS OF OCTOBER 31, 2013**

Net Balance at End of Previous Month	\$ 720,712.75
ADD: General Receipts	6,323.91
Interest Earned	825.41
Investments Matured	<u>0.00</u>
SUBTOTAL	727,862.07
LESS: General Disbursements	51,087.64
Investments	0.00
Returned Cheques	0.00
Bank Charges	<u>7.24</u>
SUBTOTAL	<u>51,094.88</u>
<b>NET BALANCE AT END OF CURRENT MONTH</b>	<b>\$ 676,767.19</b>
Balance at End of Month - Bank	680,773.42
ADD: Outstanding Deposits	0.00
LESS: Outstanding Cheques	<u>4,006.23</u>
<b>NET BALANCE AT END OF CURRENT MONTH</b>	<b>\$ 676,767.19</b>
INVESTMENTS:	
	<u>0.00</u>
SUBTOTAL	<u>0.00</u>
<b>TOTAL CASH ON HAND AND ON DEPOSIT</b>	<b>\$ 676,767.19</b>

THIS STATEMENT SUBMITTED TO SUMMER VILLAGE OF WHITE SANDS THIS  
1st DAY OF NOVEMBER 2013

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**SUMMER VILLAGE OF WHITE SANDS  
STATEMENT OF REVENUE AND EXPENDITURES  
AS OF OCTOBER 31, 2013**

	YTD Budget	YTD Actual	Variance	Annual Budget
<b>Revenue</b>				
General Administration	12,030.00	13,027.18	(997.18)	12,030.00
Protective Services	960.00	794.00	166.00	960.00
Roads, Streets, Transportation	12,230.00	550.00	11,680.00	12,230.00
Planning & Development	5,000.00	4,201.93	798.07	5,000.00
Recreation & Parks	-	-	-	-
Taxes/Penalties	512,475.00	512,130.22	344.78	512,475.00
Other Revenue	3,800.00	5,274.28	(1,474.28)	3,800.00
	<u>3,800.00</u>	<u>5,274.28</u>	<u>(1,474.28)</u>	<u>3,800.00</u>
<b>Total Revenue</b>	<b>\$ 546,495.00</b>	<b>\$ 535,977.61</b>	<b>\$ 10,517.39</b>	<b>\$ 546,495.00</b>
<b>Expenses</b>				
Council & Legislative	12,000.00	7,720.13	4,279.87	12,000.00
General Administration	60,225.00	33,581.91	26,643.09	60,225.00
Fire Fighting & Preventive	36,585.00	36,234.00	351.00	36,585.00
Ambulance	-	-	-	-
Bylaw Enforcement	5,000.00	2,545.20	2,454.80	5,000.00
Roads, Streets, Transportation	67,630.00	44,322.24	23,307.76	67,630.00
Water Department	10,275.00	7,308.73	2,966.27	10,275.00
Garbage Collection & Disposal	13,595.00	10,539.50	3,055.50	13,595.00
Planning & Development	11,000.00	7,339.18	3,660.82	11,000.00
Parks & Recreation	30,375.00	23,950.97	6,424.03	30,375.00
Requisitions	277,985.00	208,487.92	69,497.08	277,985.00
Contingency	20,825.00	-	20,825.00	20,825.00
	<u>20,825.00</u>	<u>-</u>	<u>20,825.00</u>	<u>20,825.00</u>
<b>Total Expenses</b>	<b>\$ 545,495.00</b>	<b>\$ 382,029.78</b>	<b>\$ 163,465.22</b>	<b>\$ 545,495.00</b>
<b>Surplus/Deficit</b>	<b>\$ 1,000.00</b>	<b>\$ 153,947.83</b>	<b>\$ (152,947.83)</b>	<b>\$ 1,000.00</b>



Audit Trail Code: PMVPY00000030  
\* Voided transactions

Chequebook ID	Type	Number	Date	Paid To/Rcvd From	Description	Amount
* GENERAL	Cheque	4371	2013-06-18	Stettler Waste Management Auth		\$456.75

1 Transaction(s)

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4376
Cheque Date	First	Last		4378

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Alta Gas Utilities	4376	2013-06-26	\$68.14
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Natural Gas May 17 to June 17		2013.06.21	\$68.14
-----			
Berger, Allen	4377	2013-06-26	\$3,832.50
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
June Contracted Maintenance		2013.06.19	\$3,832.50
-----			
Town of Stettler	4378	2013-06-26	\$457.01
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Fuel		IVC017388	\$457.01
-----			
		Total Cheques	\$4,357.65
			-----
			=====

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4379
Cheque Date	First	Last		4388

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Alberta Animal Services	4379	2013-07-10	\$294.00
-----			
Invoice Description	Invoice Number	Invoice Amount	
June 2013 Bylaw Enforcement	11036	\$294.00	
-----			
Berger, Allen	4380	2013-07-10	\$250.00
-----			
Invoice Description	Invoice Number	Invoice Amount	
June 2013 Fuel & Cell Allowanc	2013.07.09	\$250.00	
-----			
County of Stettler Housing Aut	4381	2013-07-10	\$6,841.00
-----			
Invoice Description	Invoice Number	Invoice Amount	
3rd Quarter 2013 Requistion	2013.07.01	\$6,841.00	
-----			
IJD Inspections Ltd.	4382	2013-07-10	\$349.89
-----			
Invoice Description	Invoice Number	Invoice Amount	
	WS06-13	\$349.89	
-----			
Stettler Home Hardware	4383	2013-07-10	\$275.32
-----			
Invoice Description	Invoice Number	Invoice Amount	
Supplies	92157	\$205.77	
Supplies	92354	\$69.55	
-----			
Stettler Waste Management Auth	4384	2013-07-10	\$1,612.50
-----			
Invoice Description	Invoice Number	Invoice Amount	
2013 2nd Quarter Requistion	2651	\$1,612.50	
-----			
Town of Stettler	4385	2013-07-10	\$977.71
-----			
Invoice Description	Invoice Number	Invoice Amount	
Salary Reversal PP#13	2013.06.27	\$977.71	
-----			
United Farmers of Alberta	4386	2013-07-10	\$974.36
-----			
Invoice Description	Invoice Number	Invoice Amount	
Fuel	93698564	\$974.36	
-----			
Woody's Auto Stettler	4387	2013-07-10	\$69.80
-----			
Invoice Description	Invoice Number	Invoice Amount	
Supplies	443931	\$69.80	

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
ZAP Municipal Consulting Inc.	4388	2013-07-10	\$834.86
=====			
Invoice Description	Invoice Number	Invoice Amount	
Jun Contracted Dev Officer	2013.06.30	\$834.86	
	Total Cheques		\$12,479.44
			=====

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4389
Cheque Date	First	Last		4397

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Adair, Colin	4389	2013-07-26	\$774.30
-----			
Invoice Description		Invoice Number	Invoice Amount
Travel & Subsistence		2013.07.13	\$774.30
-----			
Alta Gas Utilities	4390	2013-07-26	\$55.06
-----			
Invoice Description		Invoice Number	Invoice Amount
Jun 17 to Jul 18 Gas Bill		2013.07.24	\$55.06
-----			
Berger, Allen	4391	2013-07-26	\$3,832.50
-----			
Invoice Description		Invoice Number	Invoice Amount
July Contracted Maintenance		270210	\$3,832.50
-----			
County of Stettler #6	4392	2013-07-26	\$1,241.18
-----			
Invoice Description		Invoice Number	Invoice Amount
2013 Buffalo Lake IDP		34695	\$1,241.18
-----			
Guenette, Barry	4393	2013-07-26	\$999.40
-----			
Invoice Description		Invoice Number	Invoice Amount
Travel & Subsistence		2013.07.13	\$999.40
-----			
John Deere Financial	4394	2013-07-26	\$396.60
-----			
Invoice Description		Invoice Number	Invoice Amount
Repair Parts		6438310	\$396.60
-----			
Thurston, Lorne	4395	2013-07-26	\$2,239.20
-----			
Invoice Description		Invoice Number	Invoice Amount
Travel & Subsistence		2013.07.26	\$2,239.20
-----			
Town of Stettler	4396	2013-07-26	\$1,284.32
-----			
Invoice Description		Invoice Number	Invoice Amount
Salary Reversal PP#14		2013.07.11	\$1,284.32
-----			
TransAlta Energy Marketing	4397	2013-07-26	\$238.64
-----			
Invoice Description		Invoice Number	Invoice Amount
June 2013 Gas & Power Bill		13-1172877	\$238.64
-----			
Total Cheques			\$11,061.20
			=====

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4398
Cheque Date	First	Last		4414

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
AAMDC	4398	2013-08-22	\$204.75
-----			
Invoice Description		Invoice Number	Invoice Amount
Annual Membership Fee		AAMDC022436	\$204.75
-----			
Berger, Allen	4399	2013-08-22	\$4,132.50
-----			
Invoice Description		Invoice Number	Invoice Amount
Jul 2013 Fuel & Cell Allowance		2013.08.09	\$300.00
Aug Contracted Maintenance		270211	\$3,832.50
-----			
Black Press Group Ltd.	4400	2013-08-22	\$497.57
-----			
Invoice Description		Invoice Number	Invoice Amount
Advertising		167904	\$497.57
-----			
Doug's Tank Truck Service Ltd.	4401	2013-08-22	\$120.00
-----			
Invoice Description		Invoice Number	Invoice Amount
Supply Potable Water		20586	\$120.00
-----			
Future Ag Inc.	4402	2013-08-22	\$2,038.70
-----			
Invoice Description		Invoice Number	Invoice Amount
Repair Mower		WS05854	\$1,752.07
Repair Parts for Mower		IS26094	\$169.70
Repair Parts		IS26295	\$116.93
-----			
Heartland Marine & Motorsports	4403	2013-08-22	\$224.58
-----			
Invoice Description		Invoice Number	Invoice Amount
Buoys		26149	\$224.58
-----			
Kal Tire	4404	2013-08-22	\$15.75
-----			
Invoice Description		Invoice Number	Invoice Amount
Flat Repair		647188246	\$15.75
-----			
Smith, Charleen	4405	2013-08-22	\$510.00
-----			
Invoice Description		Invoice Number	Invoice Amount
2013 Municipal Election Clerk		2013.07.27	\$510.00
-----			
Stettler Home Hardware	4406	2013-08-22	\$272.33
-----			
Invoice Description		Invoice Number	Invoice Amount
Supplies		92635	\$53.92
Supplies		92705	\$165.33
Keys Cut		92747	\$5.32

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Supplies	92881		\$47.76
Switenky, Greg	4407	2013-08-22	\$161.49
Invoice Description	Invoice Number	Invoice Amount	
Municipal Election & Lunches	2013.07.31	\$161.49	
Thomas, Virginia	4408	2013-08-22	\$330.00
Invoice Description	Invoice Number	Invoice Amount	
2013 Election Day Worker	2013.07.31	\$330.00	
Town of Stettler	4409	2013-08-22	\$3,988.31
Invoice Description	Invoice Number	Invoice Amount	
Travel & Subsistence	2013.06.19	\$87.50	
Ministers Meeting Lunch	IVC017445	\$29.15	
May 11 Conference Call	IVC017444	\$39.26	
Apr to Jun Misc Charges	IVC017442	\$1,288.26	
Fuel	IVC017443	\$136.87	
Salary Reversal PP#15	2013.07.25	\$1,122.95	
Salary Reversal PP#16	2013.08.08	\$1,284.32	
TransAlta Energy Marketing	4410	2013-08-22	\$258.41
Invoice Description	Invoice Number	Invoice Amount	
July 2013 Gas & Power Bill	13-1174595	\$258.41	
United Farmers of Alberta	4411	2013-08-22	\$185.29
Invoice Description	Invoice Number	Invoice Amount	
Supplies	304241761	\$185.29	
Woody's Auto Stettler	4412	2013-08-22	\$69.80
Invoice Description	Invoice Number	Invoice Amount	
Supplies	447627	\$69.80	
Yesterday's Meals on Wheels Se	4413	2013-08-22	\$115.50
Invoice Description	Invoice Number	Invoice Amount	
Septic Pump Out	12980	\$115.50	
ZAP Municipal Consulting Inc.	4414	2013-08-22	\$832.13
Invoice Description	Invoice Number	Invoice Amount	
July Contracted Dev Officer	2013.05	\$832.13	
Total Cheques			\$13,957.11

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4415
Cheque Date	First	Last		4429

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Acklands Grainger Inc.	4415	2013-09-17	\$26.38
-----			
Invoice Description		Invoice Number	Invoice Amount
Supplies		6064 0743181	\$26.38
-----			
Adair, Colin	4416	2013-09-17	\$1,200.00
-----			
Invoice Description		Invoice Number	Invoice Amount
2013 - 2014 Honorarium		2013 - 2014	\$1,200.00
-----			
Alberta Animal Services	4417	2013-09-17	\$605.64
-----			
Invoice Description		Invoice Number	Invoice Amount
July 2013 Bylaw Enforcement		11057	\$302.82
Aug 2013 Bylaw Enforcement		11078	\$302.82
-----			
Alta Gas Utilities	4418	2013-09-17	\$52.90
-----			
Invoice Description		Invoice Number	Invoice Amount
Natural Gas Jul 18 - Aug 19		2013.08.23	\$52.90
-----			
ASVA	4419	2013-09-17	\$220.00
-----			
Invoice Description		Invoice Number	Invoice Amount
2013 Conference Registration		2013.09.05	\$220.00
-----			
Berger, Allen	4420	2013-09-17	\$250.00
-----			
Invoice Description		Invoice Number	Invoice Amount
Aug 2013 Fuel & Cell Allowance		2013.09.09	\$250.00
-----			
Guenette, Barry	4421	2013-09-17	\$1,200.00
-----			
Invoice Description		Invoice Number	Invoice Amount
2013 - 2014 Honorarium		2013	\$1,200.00
-----			
IJD Inspections Ltd.	4422	2013-09-17	\$816.87
-----			
Invoice Description		Invoice Number	Invoice Amount
Building Permits		WS07-13	\$42.66
Inspection Permit		WHS-002017B	\$52.50
Building Permits		AUG2013	\$721.71
-----			
Jubilee Insurance Agencies	4423	2013-09-17	\$1,697.44
-----			
Invoice Description		Invoice Number	Invoice Amount
Property Insurance		JUB0003149	\$1,136.09
Boiler and Machinery		JUB0003747	\$62.83
Boiler & Machinery		JUB0004092	\$21.63



Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Property Insurance 2014	2014	JUB0004622	\$381.10
Property Insurance 2014	2014	JUB0003446	\$383.16
=====			
Stettler Home Hardware	4424	2013-09-17	\$225.95
Invoice Description	Invoice Number	Invoice Amount	
Supplies	93182	\$48.67	
Supplies	93202	\$153.16	
Supplies	93329	\$16.79	
Supplies	93384	\$7.33	
=====			
Thurston, Lorne	4425	2013-09-17	\$1,200.00
Invoice Description	Invoice Number	Invoice Amount	
2013 - 2014 Honorarium	2013-2014	\$1,200.00	
=====			
Town of Stettler	4426	2013-09-17	\$1,052.27
Invoice Description	Invoice Number	Invoice Amount	
Salary Reversal PP#17	2013.08.22	\$1,052.27	
=====			
United Farmers of Alberta	4427	2013-09-17	\$65.08
Invoice Description	Invoice Number	Invoice Amount	
Supplies	304244912	\$8.36	
Supplies	304245566	\$56.72	
=====			
Woody's Auto Stettler	4428	2013-09-17	\$138.05
Invoice Description	Invoice Number	Invoice Amount	
Fire Extinguisher Maintance	451805	\$68.25	
Supplies	451887	\$69.80	
=====			
ZAP Municipal Consulting Inc.	4429	2013-09-17	\$971.36
Invoice Description	Invoice Number	Invoice Amount	
Aug Contracted Dev Officer	2013-054	\$971.36	
=====			
Total Cheques			\$9,721.94
=====			



Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4435
Cheque Date	First	Last		4447

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
AAMDC	4435	2013-10-15	\$735.00
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Sign Posts		210017514	\$735.00
-----			
Alberta Animal Services	4436	2013-10-15	\$302.82
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Sept 2013 Bylaw Enforcement		11101	\$302.82
-----			
Alta Gas Utilities	4437	2013-10-15	\$49.44
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Natural Gas Aug 19 to Sept 18		2013.09.24	\$49.44
-----			
Berger, Allen	4438	2013-10-15	\$300.00
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Sept Fuel & Cell Allowance		2013.10.03	\$300.00
-----			
Cehade, Anne	4439	2013-10-15	\$61.97
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Refund Tax Credit Balance		2013.10.04	\$61.97
-----			
Rally Rentals Inc.	4440	2013-10-15	\$1,631.70
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Equipment Rental		8637	\$613.20
Equipment Rental		8529	\$1,018.50
-----			
Rothwell, Jeromy & Tammy	4441	2013-10-15	\$6,129.70
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Refund Overpayment of Taxes		2013.10.15	\$6,129.70
-----			
Stettler Home Hardware	4442	2013-10-15	\$120.00
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
Supplies		93749	\$60.86
Supplies		93705	\$34.07
Supplies		93470	\$25.07
-----			
Stettler Waste Management Auth	4443	2013-10-15	\$2,214.50
-----			
Invoice Description		Invoice Number	Invoice Amount
-----			
2013 3rd Quarter Requistion		2738	\$2,214.50

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Town of Stettler	4444	2013-10-15	\$34,823.73
=====			
Invoice Description		Invoice Number	Invoice Amount
2013 Village Fire Services		IVC017517	\$34,584.00
Fuel		IVC017525	\$239.73
=====			
TransAlta Energy Marketing	4445	2013-10-15	\$237.45
=====			
Invoice Description		Invoice Number	Invoice Amount
Sept 2013 Gas & Power Bill		13-1178075	\$237.45
=====			
United Farmers of Alberta	4446	2013-10-15	\$328.79
=====			
Invoice Description		Invoice Number	Invoice Amount
Supplies		304251627	\$26.23
Repair Parts		304253014	\$302.56
=====			
Yesterday's Meals on Wheels Se	4447	2013-10-15	\$115.50
=====			
Invoice Description		Invoice Number	Invoice Amount
Septic Pumpout		13270	\$115.50
=====			
		Total Cheques	\$47,050.60
			=====

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4448
Cheque Date	First	Last		4451

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
=====			
Alta Gas Utilities	4448	2013-10-29	\$92.78
=====			
Invoice Description		Invoice Number	Invoice Amount
-----			
Natural Gas Sep 18 to Oct 18		2013.10.24	\$92.78
=====			
Berger, Allen	4449	2013-10-29	\$3,832.50
=====			
Invoice Description		Invoice Number	Invoice Amount
-----			
Oct Contracted Maintenance		270213	\$3,832.50
=====			
John Deere Financial	4450	2013-10-29	\$57.16
=====			
Invoice Description		Invoice Number	Invoice Amount
-----			
Repair Parts		6441982	\$57.16
=====			
Sally's Secretarial Services	4451	2013-10-29	\$54.60
=====			
Invoice Description		Invoice Number	Invoice Amount
-----			
Decals		2013.08.08	\$54.60
=====			
		Total Cheques	-----
			\$4,037.04
			=====

Ranges:	From:	To:	From:	To:
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	4452
Cheque Date	First	Last		4462

Sorted By: Cheque Number

Distribution Types Included:All

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
Alberta Animal Services	4452	2013-11-13	\$302.82
-----			
Invoice Description	Invoice Number	Invoice Amount	
Oct 2013 Bylaw Enforcement	11122	\$302.82	
-----			
Berger, Allen	4453	2013-11-13	\$449.45
-----			
Invoice Description	Invoice Number	Invoice Amount	
Oct Fuel & Cell Allowance	2013.11.12	\$449.45	
-----			
Chapman Riebeek	4454	2013-11-13	\$67.07
-----			
Invoice Description	Invoice Number	Invoice Amount	
Sept 2013 Legal Services	2013.10.18	\$67.07	
-----			
Doug's Tank Truck Service Ltd.	4455	2013-11-13	\$120.00
-----			
Invoice Description	Invoice Number	Invoice Amount	
Supply Potable Water	93516	\$120.00	
-----			
E.K. Landscape	4456	2013-11-13	\$2,038.05
-----			
Invoice Description	Invoice Number	Invoice Amount	
Hired equipment and clay	0161	\$2,038.05	
-----			
IJD Inspections Ltd.	4457	2013-11-13	\$435.67
-----			
Invoice Description	Invoice Number	Invoice Amount	
Building Permits	WS09-13	\$435.67	
-----			
Rollies Vac Systems (1991)	4458	2013-11-13	\$1,181.25
-----			
Invoice Description	Invoice Number	Invoice Amount	
Pumpouts	13635	\$1,181.25	
-----			
Thurston, Lorne	4459	2013-11-13	\$1,638.00
-----			
Invoice Description	Invoice Number	Invoice Amount	
Parking Curb Deposit	115656	\$1,638.00	
-----			
United Farmers of Alberta	4460	2013-11-13	\$1,914.99
-----			
Invoice Description	Invoice Number	Invoice Amount	
Diesel Clear	93917867	\$1,663.31	
Heat Tape	304255030	\$83.99	
Harrow Teeth & Oil	304256366	\$167.69	

Vendor Name	Cheque Number	Cheque Date	Cheque Amount
=====			
Wm. E. Hay Composite High Scho	4461	2013-11-13	\$509.25
-----			
Invoice Description	Invoice Number	Invoice Amount	
-----			
Gazebo Material & installation	1	\$509.25	
=====			
ZAP Municipal Consulting Inc.	4462	2013-11-13	\$1,107.86
-----			
Invoice Description	Invoice Number	Invoice Amount	
-----			
Oct Contracted Dev Officer	2013-073	\$1,107.86	
-----			
	Total Cheques		\$9,764.41
=====			

## MEMORANDUM

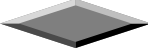
**To:** Mayor and Council

**From:** Greg Switenky

**Date:** November 13, 2013

**Re:** Interim Operating Budget 2014

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Section 242 of the *Municipal Government Act (MGA)* requires Council to adopt an operating budget for each calendar year. Section 242 further states that a Council may adopt an interim operating budget for part of a calendar year. Since the Summer Village's 2014 Operating Budget will not be adopted until May/June 2014, an Interim Operating Budget is required to provide legal expenditure authority per Section 248 of the *MGA*.

The Interim Operating Budget is not used to set property tax rates; rather its purpose is to be used as the authority to provide services, programs and overall corporate continuity. An Interim Operating Budget ceases to have any effect when the Operating Budget and Tax (Mill) Rate Bylaw is finally adopted in 2014.

At this time of year, it has been usual administrative practice to simply recommend that Council approve the same level of interim operational expenditures for 2014 as was finally approved for the previous year 2013.

**Recommendation:**

That the Summer Village of White Sands Council adopt, per Sections 242(2) and 248 of the *Municipal Government Act*, an Interim Operating Budget with expenditures and surplus totaling \$546,495 for that part of 2014 prior to the Operating Budget being adopted by Council.



(d) Christmas Bonus/Town Staff Appreciation

**Motion 12:12:10**

Moved by Councillor Adair that the Summer Village of White Sands Council recognize the efforts of the Maintenance Contractor through an award of a Christmas Bonus in the amount of \$300.00 as an appreciation for his continued effort, commitment and loyalty, as well a Town of Stettler staff appreciation award of \$150.00 Heart of Alberta Dollars.

MOTION CARRIED  
Unanimous



## *Land Use Bylaw*

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Summer Village of  
White Sands

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## PART ONE: GENERAL

### 1.1 Short Title

This Bylaw may be cited as the **Summer Village of White Sands Land Use Bylaw**.

### 1.2 Purpose

The purpose of this Bylaw is to, amongst other things,

- (1) Divide the municipality into districts;
- (2) Prescribe and regulate the use for each district the purposes for which land and buildings may be used;
- (3) Establish the office of Development Officer;
- (4) Establish a method of making decisions on applications for development permits including the issuing of development permits; and
- (5) Provide the manner in which notice of the issuance of a development permit is to be given.

### 1.3 Definitions

In this Land Use Bylaw,

**“Accessory Building”** means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land, other than a guest house.

**“Accessory Use”** means a use customarily incidental and subordinate to the main use and is located on the same parcel of land with such main use or building.

**“Adjacent Land”** means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream, and in the opinion of the Development Officer any other land.

**“Basement”** means a habitable portion of a building which is partly underground, but does not have more than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above ground elevation.

**“Building”** includes anything constructed or place on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

**“Bylaw Enforcement Officer”** means a Bylaw Enforcement Officer appointed by the Summer Village of White Sands, pursuant to the Municipal Government Act, for the purpose of enforcing the Land Use Bylaw and other Summer Village Bylaws, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer.

**“Cellar”** means a portion of a structure which is mainly underground, and which has less than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation.

**“Council”** means the Council of the Summer Village of White Sands.



**“Corner Parcel”** means a parcel where both a front or rear parcel boundary and a minimum of one (1) side parcel boundary abut a road.

**“Detached Dwelling”** means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a mobile home.

**“Development”** means:

- (a) An excavation or stockpile and the creation of either of them, or
- (b) A building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- (c) A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**“Development Authority”** means the person or persons appointed pursuant to Development Authority Bylaw No. 54-96.

**“Development Officer”** means a person appointed as Development Officer pursuant to this Land Use Bylaw.

**“Development Permit”** means a document authorizing a development issued pursuant to this Land Use Bylaw.

**“Discretionary Use”** means the use of land or a building provided for in this Land Use Bylaw, which may be compatible with other uses in the District, for which a development permit may be issued upon an application having been made.

**“Dilapidated Vehicle”** means any vehicle that is subject to any two of the following items as listed below:

- (a) Not used on a regular basis;
- (b) Does not have a validated license plate attached to it;
- (c) Is lacking one or more major body parts (i.e. fenders, hoods, etc.); and
- (d) Is lacking one or more of its power train parts (i.e. motor, transmission, differential, etc.).

**“District”** means Land Use District.

**“Domestic Pet”** means an animal which is normally kept inside a dwelling. Domestic pets include, dogs, cats, parrots, and similar-sized animals, but does not include any fur bearing animal, fowl, exotic snake, reptile, or livestock;

**“Driveway”** means a vehicle access route between the carriageway of a road and a use on a parcel.

**“Dwelling Unit”** means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms.



**“Fence”** means a physical barrier constructed from typical building material for the purpose of providing privacy and/or preventing unauthorized access.

**“Floor Area”** means for residential building buildings, the total area of all floors on a building measured from the outside of exterior walls including a basement, but excluding floor areas of cellars, attached garages, sheds, carports, or open porches in all residential buildings.

**“Front Parcel Boundary”** means, in the case of an interior parcel, the boundary which abuts a street, and in the case of a corner parcel, means the shorter of the two boundaries which abut a street, except for lakeside parcels.

**“Front Yard”** means

- (a) In the case of lakeside parcels, a yard extending across the full width of a parcel from the boundary of the parcel abutting the lake to the front wall of the main building situated on the parcel; or
- (b) In the case of non-lakeside parcels, a yard extending across the full width of a parcel from the boundary of the parcel abutting the street, or in the case of corner parcels, abutting the shortest length of street, to the front wall of the main building situated on a parcel.

**“Grade”** means the average elevation of the natural or finished level of the ground adjoining a building at all exterior walls, or the level of the ground as established by an approved grade plan.

**“Guest House”** means a permanent building which has sleeping accommodation and may have a bathroom, but does not have kitchen or other cooking facilities, which provides overflow accommodation for a detached dwelling located on the same parcel.

**“Home Occupation”** means any occupation, profession or craft carried on by an occupant of a residential building within that same residential building as a use secondary to the residential use of the building and which does not change the character thereof, or have any exterior evidence of such secondary use.

**“Lakeside Parcel”** means any parcel described within: Lots 1-27, Block 4; Lots 11-30, Block 3, Lots 12-17 Block 2; and Lots 18-23, Block 1; all originally created by Plan 4117 MC; Lots 2-5, 12-14: Block 1; all originally created by Plan 782 2467; and Lots 1-11, Block 5; all originally created by Plan 972 1576.

**“Landscaped Area”** means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental planting, fences, walls, and associated earthworks; however, it shall not include areas occupied by garbage, storage, parking lots or driveways.

**“Land Use Bylaw”** means Bylaw 71-98, and amendments thereto.

**“Land Use District”** means an area as described in Schedule C and shown in Schedule A of this Land Use Bylaw.

**“Land Use Policies”** means the policies established by the Lieutenant Governor in Council pursuant to the Municipal Government Act.

**“Lane”** means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office.



**"Livestock"** means livestock as defined in the Agricultural Operation Practices Act. This includes, but is not limited to poultry, horses, cattle, sheep, swine, goats, bison, and fur-bearing animals;

**"m"** means metres ("m<sup>2</sup>" means square metres).

**"Main Building"** means a building in which is conducted the main or principal use of the parcel on which it is erected.

**"Main Use"** means the principal purpose for which a building or parcel is used.

**"Manufactured Home"** means a single family dwelling built in an enclosed off site factory environment in two or more sections and intended to be occupied in a place other than where it is manufactured. Manufactured homes are incomplete multi-section modules that are placed together and completed on site. New manufactured homes shall meet or exceed the CSA Z240 Standards.

**"Municipality"** means the Summer Village of White Sands.

**"Municipal Government Act"** means the Municipal Government Act, [S.A. 1994, c. M 26.1](#), as amended.

**"Non Conforming Building"** means a building:

- (a) That is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or land on which the building is situated becomes effective, and
- (b) That on the date the land use bylaw 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 a land use affecting the land or building becomes effective, and
- (b) That on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

**"Owner"** means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land, or in respect of any property other than land, the person in lawful possession of it.

**"Parcel"** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

**"Parcel of Land"** means:

- (a) Where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office.
- (b) Where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks.
- (c) A quarter section of land according to the system of surveys under the Surveys Act or any other area of land described on a certificate of title.





**“Permitted Use”** means a use of land or a building which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this Land Use Bylaw.

**“Public and Quasi-public Use”** means a use of land or a building for purposes of public administration and service and shall also include a building for the purposes of assembly, instruction, culture, recreation or other community activity.

**“Public Utility”** means a public utility as defined in **Part 17 of** the Municipal Government Act.

**“Public Utility Building”** means a building in which the proprietor of a public utility maintains an office, or maintains or houses equipment used in connection with the public utility.

**“Rear Yard”** means:

- (a) In the case of lakeside parcels, a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the boundary abutting the street; or
- (b) In the case of non-lakeside parcels, a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the shortest boundary of the parcel which does not abut a street.

**“Recreation Vehicle”** means a vehicle or portable structure designed to be carried on a vehicle providing temporary sleeping accommodation for travel and recreation purposes. Recreational vehicles include, but are not limited to, motor homes, campers, and holiday trailers. Recreation vehicles **do not include manufactured homes and are** not to be skirted or provide for the attachment or use of any projections including, but not limited to, decks and carports.

**“Road”** means land:

- (a) Shown as a road on a plan of survey that has been filed or registered in a land titles office, or
- (b) Used as a public road,

and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway.

**“Screen”** means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas.

**“Set Back”** means a distance additional to minimum yard requirements which may be required on parcels adjacent to public roadways.

**“Side Yard”** means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the main building thereon.

**“Sign”** means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction.

**“Statutory Plan”** means a municipal plan, intermunicipal development plan, area structure plan and area redevelopment plan adopted by a bylaw of the municipality, or an one or more of them.

**“Street”** means any category of road except a lane.



**“Subdivision and Development Appeal Board”** means a board established by Council pursuant to the Municipal Government Act.

**“Subdivision and Development Regulation”** means the Subdivision and Development Regulation (AR212/95), as amended.

**“Vehicle”** means a device propelled by any power other than muscular power on or by which a person or thing may be transported on a highway but does not include a motorcycle, moped or an off highway vehicle as defined in the Off Highway Vehicle Act.

**“Yard”** means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.

**All other words and expressions have the meaning respectively assigned to them in Part 17 of the Municipal Government Act and the Subdivision and Development Regulation.**

#### **1.4 Establishment of Development Officer**

- (1) The office of Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- (2) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things the keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this Land Use Bylaw and all amendments thereto; keeping a register of all applications for development, including the decisions thereon and the reasons therefore.

#### **1.5 Establishment of Forms**

- (1) For the purpose of administering this Land Use Bylaw, the Development Officer shall prepare such forms and notices as he or she may deem necessary.
- (2) Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.

#### **1.6 Establishment of Supplementary Regulations**

Supplementary Regulations are set forth in Schedule B hereto, hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

#### **1.7 Establishment of Land Use District Regulations**

Land Use District Regulations shall be set forth in the Schedule of Land Use District Regulations, being Schedule C hereto, hereby adopted by reference to be part of this Land Use Bylaw, and may be amended in the same manner as any other part of this Land Use Bylaw.

#### **1.8 Establishment of Districts**

- (1) For the purpose of this Land Use Bylaw the Summer Village of White Sands is divided into the following Districts: R-1 Residential; R-BL Residential Back Lot; RD Reserved for Future Development; Public Use P; and Environmental Open Space (EOS).



- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A attached hereto. All roads, water courses and lakes are excluded from the Land Use Districts.

**1.9 Amendment of the Land Use Bylaw**

- (1) A person may make application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:
  - (a) A statement of the specific amendment requested;
  - (b) The purpose and reasons for the application;
  - (c) If the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
  - (d) The applicant's interest in the lands; and
  - (e) An application fee established by resolution of Council.
- (2) If the amendment is for a redesignation of land, the Development Officer may require:
  - (a) An outline plan for the area to be redesignated, to the level of detail specified by the Development Officer; and
  - (b) Payment of a fee equal to the costs incurred by the Municipality to review the proposed redesignation and/or related outline plan, or if necessary to prepare an outline; plan.
- (3) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant advising that he may appear before the Council at that time, and speak to the application. An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.
- (4) The Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
  - (a) Refuse the application; or
  - (b) Refer the application for further information; or
  - (c) Pass first reading to a bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
  - (d) Defeat first reading of a bylaw to amend this Land Use Bylaw; or
  - (e) Pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.
- (5) Following first reading of an amending bylaw, the Council shall:
  - (a) Establish the date, time and place for a public hearing on the proposed bylaw;
  - (b) A bylaw to establish procedures for public hearings has not been passed:
    - (i) Outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and



- (ii) Outline the procedure for conducting the public hearing.
- (6) Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by:
  - (a) Publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, or
  - (b) Mailing or delivering notice to every residence in the area to which the proposed bylaw relates must be postmarked at least 10 days prior to the public hearing.
- (7) Where a notice is given in 6(a), a notice of a public hearing must be advertised at least 5 days before the public hearing occurs.
- (8) A notice must contain:
  - (a) A statement of the general purpose of the proposed bylaw and public hearing,
  - (b) The address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected,
  - (c) The date, place and time where the public hearing will be held.
- (9) In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of subsection (6),
  - (a) include in the notice
    - (i) the municipal address, if any, and the legal address of the parcel of land, and
    - (ii) a map showing the location of the parcel of land,
  - (b) given written notice containing the information described in clause (a) and subsection (6) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
  - (c) give written notice containing the information described in clause (a) and subsection (6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (10) If the land referred to in subsection (9)(c) is in the County of Stettler, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of the County of Stettler.
- (11) Notwithstanding subsection (5), of Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the Land Use Bylaw in principal or substance.
- (12) In the public hearing, the Council:
  - (a) Must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council, and
  - (b) May hear any other person who wishes to make representations and whom the



Council agrees to hear.

- (13) After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, Council may:
  - (a) Pass the bylaw;
  - (b) Refer it for further information or comment;
  - (c) Make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
  - (d) Defeat the bylaw.
- (14) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- (15) After third reading of the proposed bylaw, the Development Officer shall send a copy of it to:
  - (a) The applicant;
  - (b) The registered owner of the land if not the applicant;
  - ~~(c) Planning Contractor;~~
  - (d) County of Stettler, if it received a copy of the proposed Bylaw pursuant to subsection(9).
- (16) In this section, "owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the Municipal Government Act.
- (17) The Development Officer shall not accept an application for amendment which is identical or similar to an application which was refused by Council, for a period of 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

#### **1.10 Sections Found Invalid**

If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in force and effect.

#### **1.11 Measurements**

All measurements in this bylaw are metric. Imperial equivalents are provided for convenience only.

#### **1.12 Establishment of Fees**

The development permit application fee and fees for other matters arising through this land use bylaw shall be established by resolution of Council. Council may at any time by resolution increase, decrease, or establish new fees for matters covered in this Bylaw.



## PART TWO: DEVELOPMENT PERMITS

### 2.1 Control of Development

No development shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

### 2.2 Development Not Requiring a Development Permit

The following developments shall not require a development permit provided that such developments comply with all applicable provisions of this Land Use By-law.

- (1) The carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (2) The completion of any development which has lawfully commenced before the passage of this Land Use By-law or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
- (3) The demolition of any accessory building that has a floor area less than 9.5 m<sup>2</sup> (102 ft<sup>2</sup>);
- (4) The use of any such development as is referred to in subsection (2) for the purpose of which development was commenced;
- (5) The erection or construction of gates, fences, walls or other means of enclosure less than 1 m (3.28 feet) in height in front yards and less than 2 m (6.56 ft.) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- (6) A temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use By-law;
- (7) The installation, maintenance and repair public works, public services and public utilities;
- (8) One accessory building used as a garden or tool shed, such building does not exceed 13.4 m<sup>2</sup> (144 ft<sup>2</sup>) in floor area and 3.0 m (9.8 ft.) in height, such building may require a provincially legislated building permit.
- (9) The erection of one unilluminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:
  - (a) A signboard for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 ft<sup>2</sup>),
  - (b) A temporary signboard or notice, relating to the sale or lease of land or buildings, sale of goods by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 0.5 m<sup>2</sup> (5.38 ft<sup>2</sup>),
  - (c) A flag attached to a single upright flag-pole.
- (10) The use of a vacant parcel for the parking of one recreation vehicle for 21 days or less in any calendar year.
- (11) The use of a parcel developed for a detached dwelling for the parking of:



- (a) Two recreation vehicles for 7 days or less in any calendar year, and
  - (b) One recreation vehicle for any period.
- (12) Development specified in ~~Section 618 of~~ the Municipal Government Act, which includes:
- (a) A highway or road,
  - (b) A well or battery within the meaning of the Oil and Gas Conservation Act,
  - (c) A pipeline or an installation or structure incidental to the operation of a pipeline, or
  - (d) Any other action, person, or thing specified by the Lieutenant Governor in Council by regulation.

### **2.3 Permission for Development**

- (1) An application for a development permit shall be made to the Development Officer in writing on the form prescribed by Council and shall be accompanied by:
  - (a) A scaled site plan in duplicate showing the treatment of landscaped areas if required, the legal description, the front, rear, and side yards, if any; any provision for off street vehicle parking and access and egress points to the parcel;
  - (b) Scaled floor plans, elevations and sections in duplicate; and sewage disposal plans;
  - (c) A statement of existing and proposed uses;
  - (d) A copy of Title to the land and, if the applicant is not owner, written consent of the owner to the application;
  - (e) The estimated commencement and completion dates;
  - (f) Such other plans and information as the Development Officer may consider necessary to properly evaluate the proposed development.
- (2) The Development Officer may refuse to accept an application for a development permit where the information required by subsection 2.3(1)(a-f) has not been supplied or where, in the opinion, the quality of the material supplied is inadequate to properly evaluate the application.
- (3) The Development Officer may deal with an application and make a decision without all of the information required by subsection 2.3(1)(a-f), if he/she is of the opinion that a decision on the application can be properly made without such information.
- (4) ~~Where demolition of a building requires a development permit, such a permit requires the applicant to provide details indicating: how the demolition will be carried out; and how the parcel will be reclaimed.~~
- (5) Each application for a development permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by resolution of Council.



- (6) The Development Officer shall:
  - (a) Receive all applications for a development permit; and
  - (b) Refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development; and
  - (c) Consider and decide on applications for a development permit for those uses, listed in Schedule C, which constitute a permitted use in a District.
- (7) For a permitted use in any District:
  - (a) The Development Officer shall approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this Land Use By-law, or
  - (b) Subject to the provisions of subsection (6), the Development Officer shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use By-law.
- (8) For a discretionary use in any District:
  - (a) The Development Officer may approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this Land Use By-law; or
  - (b) Subject to the provisions of subsection (9), the Development Officer shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use By-law.
- (9) The Development Officer may:
  - (a) Approve, with or without conditions, an application for a development permit; or
  - (b) Advise that a real property report appears to conform with the Land Use By-law; notwithstanding that the proposed development or subdivision does not comply with the By-law or is a non-conforming building, if in the opinion of the Development Officer, the proposed development or subdivision or non-conforming building:
  - (c) Conforms with the use prescribed for that land or building in this Land Use By-law.
- (10) The Development Officer may require with respect to a development that the applicant submit a Real Property Report to the satisfaction of the Development Officer and enter into an agreement with the municipality to do all or any of the following:
  - (a) To construct or pay for the construction of a road required to give access to the development; or
  - (b) To construct or pay for the construction of pedestrian walkway systems; or
  - (c) To install or pay for the installation of utilities other than telecommunications systems or works, that are necessary to serve the development; or





- (d) To construct or pay for the construction of:
    - (i) Off street or other parking facilities; and
    - (ii) Loading and unloading facilities.
  - (d) To pay an off-site levy or redevelopment levy imposed by by-law; or
  - (e) To give security to ensure that the terms of the agreement under this section are carried out; or
  - (f) To pay to the Municipality the costs for any engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal costs and expenses to which the municipality is put in connection with the Development Agreement and the Agreement relates.
- (11) In the case where an application for a development permit has been refused pursuant to this PART, the submission of another application for a permit on the same property and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least 3 months after the date of the final decision.
- (12) Any application for development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made on it by the Development Officer within 40 days after receipt of the application by the Development Officer and the person claiming to be affected may appeal in writing as provided for in this PART of this Land Use By-law as though he/she had received a refusal at the end of the period specified in this subsection.

#### **2.4 Development Permits and Notices**

- (1) A permit issued does not come into effect until 14 days after the date on which notice of issuance of the permit is given under subsection 4, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) The date of issue of any permit shall be the date of notification pursuant to subsection (4).
- (3) Where an appeal is made pursuant to Section 2.6 of this PART, a development permit which has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (4) On the same date a development permit is issued, the Development Officer shall publicize a notice of the issuance of the permit in any or all of the forms described as follows:
  - (a) Mail a notice of the decision to all persons who reside within 61 m (200 ft.) of the proposed development and any other person who in his/her opinion may be affected, and/or
  - (b) Post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - (c) publish in a newspaper circulating in the municipality a notice of the decision.
- (5) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or the date of decision of the Development Appeal Board, or carried out with reasonable diligence as determined by the Development Officer, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12



months, has previously been granted by the Development Officer.

- (6) A decision of the Development Officer on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (7) When the Development Officer refuses an application for a development permit, the decision shall contain reasons for the refusal.

## 2.5 Contravention

(1) For the information of readers, the provisions of this Bylaw may be enforced by way of stop order, injunction or such other relief as may be available under the Municipal Government Act and include those described in the following section.

(2) If the Development Officer finds that a development, land use or use of a building is not in conformity with:

- (a) The Land Use Bylaw, ~~Part 17 of~~ the Municipal Government Act or Subdivision and Development Regulation; or
- (b) A development permit or subdivision approval;

the Development Officer may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- (c) Stop the development or use of the land or building in whole or in part as directed by the notice;
- (d) Demolish, remove or replace the development; or
- (e) Maintain the land and/or building(s) in a safe condition, free from rubbish and debris;
- (f) Carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, ~~Part 17 of~~ the Municipal Government Act or Subdivision and Development Regulation, a development permit or subdivision approval;

and in such order establish a time for reasonable compliance with such order.

- (2) If a person fails or refuses to comply with an order under subsection (1) or an order of the Subdivision and Development Appeal Board made pursuant to ~~Part 17 of~~ the Municipal Government Act, the municipality may enter on the land or building and take any action necessary to carry out the order, and the cost of such recovery shall be added to the tax roll.
- (3) The municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order, but if it does so the municipality must discharge the caveat when the order has been complied with.



## 2.6 Appeal Procedure

An appeal of an order, a decision or a failure to make a decision of the Development Officer may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions set forth in the Subdivision and Development Appeal Board By-law.

## 2.7 Offences and Penalties

- (1) A person who contravenes or does not comply with:
  - (a) The Land Use By-law;
  - (b) ~~Part 17 of~~ The Municipal Government Act;
  - (c) The Subdivision and Development Regulation;
  - (d) An order under Section 2(6) of this By-law;
  - (e) A development permit or subdivision approval, or a condition therein;
  - (f) A decision of the Subdivision and Development Appeal Board; or
  - (g) Who obstructs or hinders any person in the exercise or performance of his/her powers or duties under this Land Use By-law;is guilty of an offence.
- (2) A person who is guilty of an offence referred to in subsection (1) above is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.
- (3) 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 Offenses Procedures Act, allowing payment of the specified penalty for a particular offense as provided in Schedule "D" of this Bylaw, 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.
- (4) Where a person is convicted of a second, third or subsequent offense under a particular section of this Bylaw, and where that offense has occurred within 12 months after the date of occurrence of the first offense under that section of this Bylaw, the specified penalties applicable upon conviction shall be the amount set out in columns two and three, respectfully, of Schedule "D".
- (5) Where the Council or persons appointed by it carries out an order, Council shall have the costs thus incurred placed on the tax roll as an additional tax on the property
- (6) 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 Offense Procedures Act, or from laying of information in lieu of issuing a violation ticket.
- (7) Where a person is found guilty of an offense under this Bylaw, the court may in addition to any other penalty imposed, order the person to comply with this Bylaw, or a development permit or condition attached thereto.



- (8) Development permit applications submitted after site preparation or construction has commenced may be subject to the double fee provisions described in the fee schedule adopted by Council resolution in accordance with section 1.12.

**2.8 Compliance with other Legislation**

- (1) Compliance with the requirements of this Land Use By-law does not exempt any person from:
  - (a) The requirements of any federal, provincial or municipal legislation; and
  - (b) Complying with any easement, covenant, agreement or contract affecting the development.

**2.9 Repeal**

This bylaw hereby repeals Land Use By-law No. ~~71-9810-81~~ and all amendments.

**2.10 Date of Commencement**

- (1) This Land Use By-law comes into effect upon the date of it finally being passed.
- (2) Schedules A, B, C and **D** are deemed to be part of this Land Use By-law.



SCHEDULE A: LAND USE DISTRICT MAP





## SCHEDULE B: SUPPLEMENTARY REGULATIONS

### 1. Air Conditioning Units

- (1) Freestanding air conditioners shall adhere to the following:
  - (a) They shall not be permitted to encroach into the minimum side yard for the principal building;
  - (b) Where possible, they shall be located either in the rear or front yard of the property; and
  - (c) Plans showing installation of sound reduction and/or visual screening may be required if, in the opinion of the Development Officer, the location of the freestanding air conditioner may affect the quiet enjoyment of adjacent properties including if they are proposed to be located within 5 m (16.4 ft) of a window existing at the date of application on an adjacent lot.

### 2. Buildings

- (1) Accessory Buildings
  - (a) Subject to the provisions of subsections (b) to (c) and (e) of this Section, accessory buildings shall be sited having regard to their:
    - (i) Environmental impact, Use, Accessibility; and
    - (ii) Location in relation to other buildings on the parcel and the future use and/or subdivision of the parcel.
  - (b) An accessory building on a parcel abutting the lake or a reserve parcel abutting the lake shall be situated so that:
    - (i) The exterior wall is not, in whole or in part, closer than 2.0 m (6.56 ft.) from side, rear and front parcel boundaries.
  - (c) An accessory building on a parcel which does not abut the lake or a reserve parcel abutting the lake shall be situated so that the exterior wall is:
    - (i) 2.0 m (6.56 ft.) from side and rear parcel boundaries; and
    - (ii) 6.0 m (19.84 ft.) from the front parcel boundary.
  - (d) An accessory building shall not be more than 6.5 m (21.3 ft.) in height.
  - (e) Notwithstanding subsections (b) to (c) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
  - (f) An accessory building erected or placed on a parcel shall not be used as a dwelling unit.
  - (g) Notwithstanding subsection (b) of this section, no accessory building, or portion thereof, shall be erected or placed within the front yard of a lakeside parcel, except for an accessory building described in Part Two, Section 2.2(8) of this Bylaw.
- (2) Building Orientation and Design
  - (a) All detached dwellings, guest houses, manufactured homes, accessory buildings, unenclosed verandas, porches and balconies erected or placed on a parcel shall be designed and sited such that, in the opinion of the Development Officer, the



development will not cause any material loss of privacy, sunlight or daylight enjoyed by the users of adjacent buildings or parcels.

- (b) All buildings erected or placed on a parcel shall be constructed of new materials only.

### **3. Demolition**

- (1) Upon application for the building demolition, the Development Officer may require a demolition plan detailing the following:
  - (a) footprint of building and site plan of property on which the building is to be demolished;
  - (b) measures to be taken to ensure that the demolition is done in a safe and efficient manner and what measures are to be taken to ensure the disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition are mitigated or minimal;
  - (c) timelines for completion of demolition and site restoration project;
  - (d) salvage operation and stockpiling of building demolition material and fill from excavation; and
  - (e) where materials from the site will be hauled to ensure proper disposal.

### **4. Development in Proximity to Oil and Gas wells**

- (1) In accordance with the Subdivision and Development Regulation, no building shall be constructed within 100 m (328.1 ft.) of the well head of a gas or oil well, unless, in the opinion of the Development Officer, may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.

### **5. Development Setbacks from Landfills and Waste Sites**

- (1) In accordance with the Subdivision and Development Regulation, a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulation, and
- (2) In accordance with the Subdivision and Development Regulation, a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, residence, or food establishment specified in the Subdivision and Development Regulation, unless the development is approved in writing by the Deputy Minister of the Department of Environmental Protection.

### **6. Fencing**

- (1) A fence located within a rear or side yard of a parcel shall not exceed 2.0 m (6.6 ft.) in height.
- (2) A fence located within the front yard of a parcel shall not exceed 1.2 m (4.0 ft.) in height.
- (3) A fence located within the side yard of a corner residential parcel abutting a flanking street shall not exceed 1.2 m (4.0 ft.) in height.

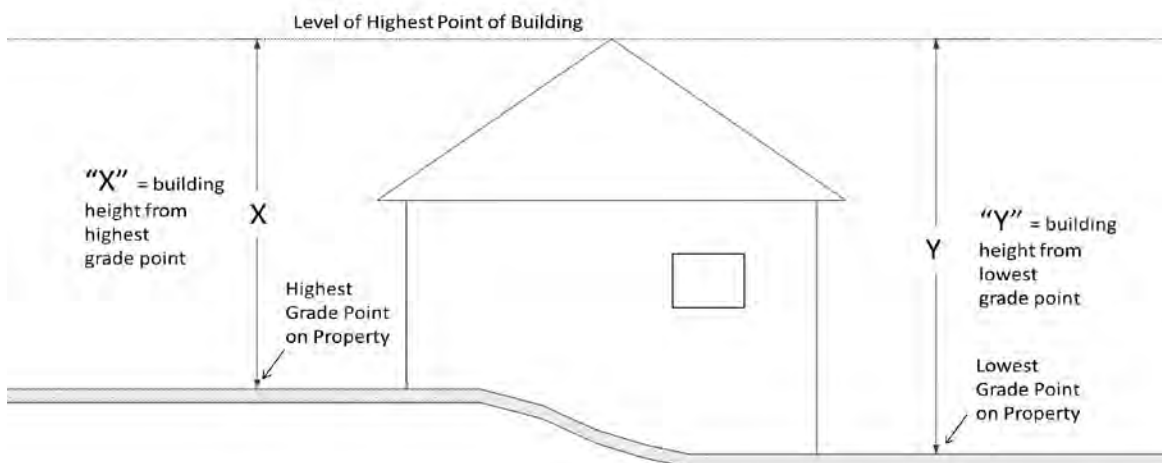


- (4) A fence located upon a non-residential parcel shall be sited to the discretion of the Development Officer.
- (5) The construction of barbed wire fencing shall be restricted to parcels containing agricultural uses.

## 7. Finished Grade Elevation

- (1) If the height of a building is required to be measured or determined it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined under Subsection (2).
- (2) In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

FIGURE 1 – BUILDING HEIGHT CALCULATIONS



$$\text{Height Average} = (X+Y)/2$$

## 8. Garage Suites

- (1) A garage suite means an accessory dwelling located above a detached garage (above grade); or a single storey accessory dwelling attached to the side of, or rear of, a detached garage (at grade).
- (2) A garage suite is not permitted without a detached dwelling first being constructed on a Site.
- (3) The Development Officer shall consider the following matters as part of the decision making process for an application for a garage suite:
  - (a) Compatibility of the use in relation to the site, grade elevations, height, building types, and materials characteristic of surrounding development;
  - (b) The potential effect of the development on the privacy of adjacent properties; and





- (c) The on-site and neighbourhood impacts on parking and traffic.
- (4) Where approved, garage suites shall be developed in accordance with the following regulations:
  - (a) All garage suites must meet the requirements of the Alberta Safety Codes Act;
  - (b) Shall not be located in the front yard;
  - (c) A minimum of one on-site parking space shall be provided for a garage suite;
  - (d) A minimum floor area of 30.0 m<sup>2</sup> (320 ft<sup>2</sup>) and shall not exceed 40% of the gross floor area of the principal dwelling;
  - (e) Has an entrance separate from the vehicle entrance to the garage, either from a common landing or directly from the exterior of the structure; and
  - (f) Has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling located on the site.

## **9. Home Occupations**

- (1) Home occupations are to be located within the main residential building and are prohibited within any accessory building or guest house located on the same parcel; and
  - (a) A home occupation shall not include any use or operation which detracts from the amenities of a residential neighbourhood, by way of creating dangerous or objectionable conditions; and
  - (b) A home occupation shall not employ any person on-site other than the resident(s) of the residential building; and
  - (c) a home occupation conducted from a residential building shall not require more than one business associated visit per day; and
  - (d) there shall be no outside storage of materials, commodities or finished products.

## **10. Landscape, Environmental Conservation and Development**

- (1) Notwithstanding any other provisions of Schedules B and C, the following areas shall generally be left in their natural state upon any development of parcels containing such features:
  - (a) swamps, gullies and natural drainage courses;
  - (b) unstable land;
  - (c) land with a natural gradient of 15% or greater;
  - (d) a strip of land not less than 15 m (49.2 ft.) in width along any river, stream or creek, such distance to be measured from the top of the bank;
  - (e) land within a 1:100 year floodplain.
- (2) The Development Officer shall be satisfied that the design and siting of all buildings have regard for the amenities and character of existing development in the municipality, and that the landscaping of the site causes minimal environmental disruption, and the development on treed parcels shall be sited such as to conserve those trees to the maximum extent possible.



**11. Land Use Policies**

- (1) Every action undertaken by the municipality and the Development Officer must be consistent with any land use policies established pursuant to the Municipal Government Act.

**12. Municipally-Owned Land**

- (1) Private development on municipal reserve or environmental reserve land is strictly prohibited.
- (2) Private development on municipally owned land including road allowances is strictly prohibited.
- (3) The cutting and/or removal of trees or underbrush from municipally-owned land is strictly prohibited, unless prior written permission is received from Council.
- (4) The temporary placement of any structure, object or materials on municipally owned land is prohibited, unless prior written permission is received from Council.

**13. Non-conforming Buildings and Uses**

- (1) A non-conforming use of land or a non-conforming use of 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 shall conform with the provisions of this Land Use By-law.
- (2) 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, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- (3) A non-conforming use of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings shall be erected upon the parcel while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
  - (a) as may be necessary to make it a conforming building, or
  - (b) as the Development Officer considers necessary for the routine maintenance of the building.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Land Use By-law.
- (6) The use of the land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

**14. Number of Buildings on a Parcel**

- (1) The number of dwelling units permitted on a parcel shall be limited to one, except where: a development permit is issued for a guest house and complies with the following: the use conforms to the uses prescribed in Schedule 'C' for the District in which the parcel is located, and is subject to Section 2.3(9) in Part Two, the development complies with the provisions of this Land Use Bylaw.
- (2) The maximum number of accessory buildings permitted on a parcel is three and that the combined total area does not exceed 100 m<sup>2</sup> (1076 ft<sup>2</sup>).



15. Sight Lines at Intersections of Roadways

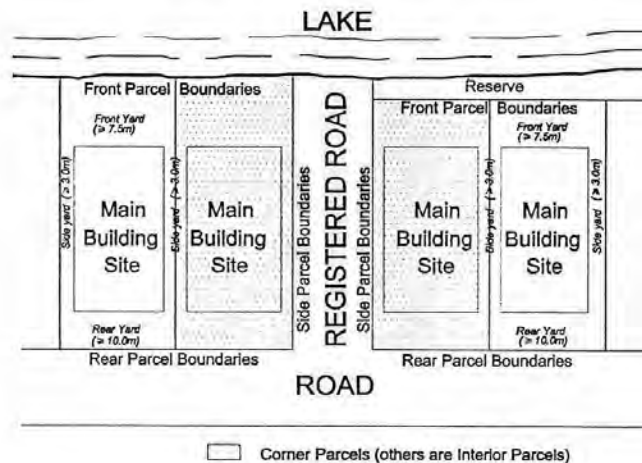
- (1) At the junction of two streets, no fence, wall, hedge, or other planting shall exceed 1 m (3.28 ft.) in the height within a triangular area formed by the intersection of the boundaries of the said roadways, or their production (in the case where a corner cut-off has been previously registered), and points 6 m (19.69 ft.) back from their intersection.

16. Vehicles

- (1) Parking
  - (a) A person using a parcel or building in any District as described in Schedule C of this Land Use By-law shall provide and maintain no less than two spaces per dwelling unit. The parking requirement for any uses not specified above shall be as required by the Development Officer.
  - (b) Calculation of Parking Space - Each parking space shall have dimensions of no less than 3 m x 6 m (9.84 ft. x 19.6 ft.).
  - (c) Parking spaces shall be located on the same parcel as the building for which they are being provided; however at the discretion of the Development Officer, parking may be located on adjoining property provided that a restrictive covenant, restricting the use of the property for parking only, is registered against its title.
- (2) Vehicle Access to Buildings
  - (a) Any building into which a vehicle may enter shall have a driveway on the parcel at least 6 m (19.69 ft.) in length.

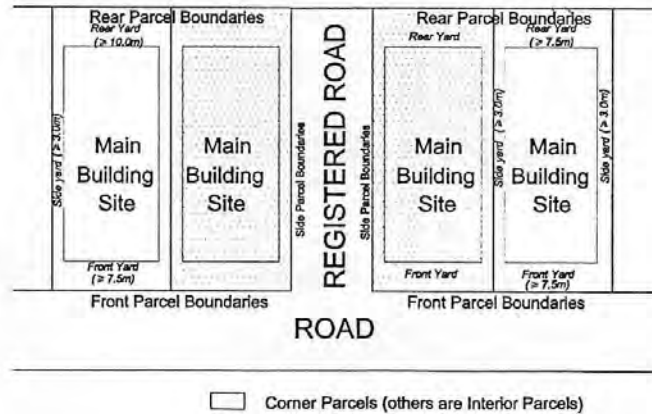
17. Yards

- (1) Location and Minimum Depth of Yards
  - (a) The following diagrams illustrate the location and minimum depth of yards.  
Lakeside Parcels





Non-lakeside Parcels



- (b) Refer to Schedule B for accessory building siting and Schedule C for main building siting.
- (2) Projections Over Yards
  - (a) The portion of an attachment to a main or accessory building which may project over or on a minimum yard are:
    - (i) Side Yards – A cornice, sill, attached greenhouse, canopy, sundeck or eave, which projects a distance not exceeding one-half of the minimum side yard required for the building;
    - (ii) Front Yards - An eave, chimney, attached greenhouse, sundeck, porch, or balcony, which projects not more than 1.5 m (4.92 ft.) over or on the minimum front yard;
    - (iii) Front and Rear Yard - Unenclosed steps, if they do not project more than 2.5 m (8.20 ft.) over or on a minimum front or rear yard; and
    - (iv) Rear Yard - An eave, chimney, attached greenhouse, sundeck, porch or balcony which projects not more than 3 m (9.84 ft.) over the minimum rear yard.
- (3) Objects Prohibited or Restricted in Yards
  - (a) No persons shall keep in their yards:
    - (i) any dismantled, wrecked or dilapidated vehicle for more than 14 consecutive days; and
    - (ii) any fur bearing animal, fowl or livestock other than domestic pets.



## SCHEDULE C - LAND USE DISTRICT REGULATIONS

### RESIDENTIAL DISTRICT (R-1)

(1) Permitted Uses

Detached dwellings; and Accessory residential uses

(2) Discretionary Uses

Public and quasi-public uses; Parks; Playgrounds; Utility buildings; Guest Houses; Home Occupations; Manufactured Homes; Recreation Vehicle Parking and Use; Accessory Uses; and any use that is similar, in the opinion of the Development Officer, to the permitted or discretionary uses described above.

- (i) Guest Houses - A guest house may only be located in the rear yard of a parcel; the maximum floor area of a guest house shall be 45 m<sup>2</sup> (484.2 ft<sup>2</sup>); a guest house shall not be more than 4.5 m (14.76 ft.) in height; and only one guest house may be constructed on a parcel.
- (ii) Manufactured Homes - A manufactured home meets or exceeds a CSA Z240 (Canadian Standards Association) certification and shall be placed on a permanent foundation or basement. **Manufactured homes shall only be allowed on parcels greater than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more.**
- (iii) **Recreation Vehicle Parking and Use (*note that this section will come into force on January 1, 2015*)**
  - (1) **A vacant property can be used for recreation purposes. Recreation vehicles may be parked on a vacant parcel for short durations of no longer than 21 continuous days at any point during the calendar year, on condition that upon expiry of the 21 day period the recreation vehicle shall be removed from the property for five (5) continuous days;**
  - (2) **A recreation vehicle may be parked continuously on a vacant parcel providing temporary sleeping accommodation for recreation purposes or continuously for storage purposes subject to obtaining an annual development permit including fees and subject to:**
    - (a) **Only two recreation vehicles being parked on the parcel at any time, notwithstanding subsection 3;**
    - (b) **The location of the recreation vehicle being to the satisfaction of the Development Officer having regard to the location of building on adjacent parcels;**
    - (c) **Provisions, satisfactory to the Development Officer, being made for the disposal of sewage; and**
    - (d) **All permits for continuous parking of recreation vehicles for recreation purposes or continuous parking of recreation vehicles for storage purposes must be obtained prior to June 1 annually.**
  - (3) **A recreation vehicle may be parked on a parcel, on which is located a detached dwelling, without having to obtain a development permit, subject to:**
    - (a) **A maximum of two recreation vehicles being parked on a parcel at any one time, notwithstanding subsection 3.**
  - (4) **The number of recreation vehicles on a parcel may, on occasion, exceed the**



maximum of 2 subject to:

- (a) The Development Officer being advised in writing of the dates when more than 2 recreation vehicles will be on the parcel and the number of recreation vehicles expected;
- (b) The parcel being able, in the opinion of the Development Officer, to sufficiently accommodate all recreation vehicles expected as well as any accompanying vehicles;
- (c) Provisions satisfactory to the Development Officer being made for the disposal of sewage; and
- (d) The maximum period of time when more than two recreation vehicles are on site shall not exceed five consecutive days and shall not occur more than two times in a calendar year.

(3) Lot Size Requirements

- (a) Parcels not intended to be served by a sewage collection system and a water distribution system shall have:
  - (i) A width of not less than 30.0 m (98.43 ft.); and
  - (ii) An area of not less than 925 m<sup>2</sup> (9,956.7 ft.<sup>2</sup>) and not more than 1,840 m<sup>2</sup> (19,805.6 ft.<sup>2</sup>).
- (b) Parcels which are served or intended to be served by a sewage collection system but not by a water distribution system, shall have:
  - (i) A width of not less than 30.0 m (98.43 ft.); and
  - (ii) An area of not less than 925 m<sup>2</sup> (9,956.7 ft.<sup>2</sup>) and not more than 1,840 m<sup>2</sup> (19,805.6 ft.<sup>2</sup>).
- (c) Parcels which are served or intended to be served by water distribution system but not a sewage collection system, shall have:
  - (i) A width of not less than 30.0 m (98.43 ft.); and
  - (ii) An area of not less than 925 m<sup>2</sup> (9,956.7 ft.<sup>2</sup>) and not more than 1,840 m<sup>2</sup> (19,805.6 ft.<sup>2</sup>).

Parcels not complying with (c) listed above and legally created prior to April 1, 1978, are not subject to (c) but are subject to the following:

(4) Parcel Servicing

- (a) No building may be approved or development commenced until arrangements, satisfactory to the Provincial Plumbing Inspector, Alberta Manpower and Labour and the Public Health Unit, have been made for the collection, storage, if any, and disposal of sewage and copies of approvals submitted to the Development Officer.
- (b) The Development Officer shall either refuse to issue a development permit for any building structure works, unless arrangements under (a) above have been completed, or issue a development permit subject to the condition that arrangements under (a) above shall be completed prior to the commencement of the development.



- (5) Maximum Parcel Coverage
  - (a) 30%, excepting on parcels greater than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>), where it shall be 15%, excluding decks and patios.
- (6) Minimum Front Yard
  - (a) 7.5 m (24.6 ft.).
- (7) Minimum Side Yard
  - (a) 3 m (9.84 ft.) for both side yards if parcel area is 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more; or
  - (b) 3 m (9.84 ft.) for one side yard and 1.5 m (4.9 ft.) on the remainder yard if parcel is under 929 m<sup>2</sup> (10,000 ft<sup>2</sup>).
- (8) Minimum Rear Yard
  - (a) 10 m (32.81 ft.).
- (9) Maximum Building Height
  - (a) 7.75 m (25.42 feet) above finished grade with a maximum of two stories; excepting on parcels larger than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more, where the maximum height shall be 10.00 m (32.81 feet) above finished grade with a maximum of two stories and a walkout basement.
- (10) Minimum Main Floor Area
  - (a) 70 m<sup>2</sup> (753.5 ft<sup>2</sup>).
- (11) Supplementary Regulations
  - (a) Refer to Schedule B for additional standards for this District.
- (12) Landscaped Areas
  - (a) In the case of applications for any non-residential uses, details of the treatment of landscaped areas shall be shown on the site plan for the consideration of the Development Officer.
- (13) Removal of Vegetation
  - (a) The removal of trees and shrubs, or the destruction thereof, without a development permit is prohibited. Refer to Section 4(3) of Schedule B for additional standards.
- (14) All Other Requirements
  - (a) As determined by the Development Officer and in accordance with the Supplementary Regulations being Schedule B of this Land Use By-law.



**RESERVED FOR FUTURE DEVELOPMENT DISTRICT (RD)**

**(1) Permitted Uses**

**(a) Existing uses:**

**(2) Discretionary Uses**

**(a) Accessory uses which will not, in the opinion of the Development Officer, materially alter the use of the land from that existing at the time of the commencement of this Land Use By law; Public utility buildings; and any use that is similar, in the opinion of the Development Officer, to the permitted or discretionary uses described above.**

**(3) All Other Requirements**

**(a) As determined by the Development Officer and in accordance with the Supplementary Regulations being Schedule B of this Land Use By law**





**RESIDENTIAL BACK LOT DISTRICT (R-BL)**

**(1) Permitted Uses**

**(a) Accessory residential uses; and detached dwellings.**

**(2) Discretionary Uses**

**(a) Park; Playgrounds; Public and quasi-public uses; Utility buildings; Walkways; Guest Houses; Home Occupations; Manufactured Homes; Recreation Vehicle Parking and Use; Accessory Uses; and any use that is similar, in the opinion of the Development Officer, to the permitted or discretionary uses described above.**

**(i) Guest Houses**— A guest house may only be located in the rear yard of a parcel; the maximum floor area of a guest house shall be 45 m<sup>2</sup> (484.2 ft<sup>2</sup>); a guest house shall not be more than 4.5 m (14.76 ft.) in height; and only one guest house may be constructed on a parcel.

**(ii) Manufactured Homes**— A manufactured home meets or exceeds a CSA Z240 (Canadian Standards Association) certification and shall be placed on a permanent foundation or basement.

**(iii) Recreation Vehicle Parking and Use**

**(1)**— A recreation vehicle may be parked on a vacant parcel and used for living and sleeping accommodation, subject to:

**(a)**— Only two recreation vehicles being parked on the parcel at any time, notwithstanding subsection 3;

**(b)**— The issuance of a development permit for the parking of each recreation vehicle for any period exceeding 35 days in any calendar year;

**(c)**— The parcel not being used for parking of a recreation vehicle requiring a permit for more than 5 years;

**(d)**— The location of the recreation vehicle being to the satisfaction of the Development Officer having regard to the location of building on adjacent parcels;

**(e)**— Provisions, satisfactory to the Development Officer, being made for the disposal of sewage.

**(2)**— A recreation vehicle may be parked on a parcel, on which is located a detached dwelling and may be used for living and sleeping accommodation, subject to:

**(a)**— A maximum of two recreation vehicles being parked on a parcel at any one time, notwithstanding subsection 3;

**(b)**— The issuance of a development permit for the parking of more than one recreation vehicle for any period not exceeding 14 days in any calendar year.



- (3) The number of recreation vehicles on a parcel may, on occasion, exceed the maximum of 2 subject to:
  - (a) The Development Officer being advised in writing of the dates when more than 2 recreation vehicles will be on the parcel and the number of recreation vehicles expected;
  - (b) The parcel being able, in the opinion of the Development Officer, to sufficiently accommodate all recreation vehicles expected as well as any accompanying vehicles;
  - (c) Provisions satisfactory to the Development Officer being made for the disposal of sewage; and
  - (d) The maximum period of time when more than two recreation vehicles are on site shall not exceed five consecutive days and shall not occur more than two times in a calendar year.

(3) Lot Size Requirements

- (a) Parcels not intended to be served by a public sewage collection system and a public water distribution system shall have:
  - (i) A width of not less than 45.7 m (150 ft.); and
  - (ii) A minimum area of 4,047 m<sup>2</sup> (1.0 acres); or
  - (iii) A maximum areas of 6,070.5 m<sup>2</sup> (1.5 acres).
- (b) At least half of the proposed lots must be of the maximum area in any subdivision.

(4) Site Development

- (a) Unless otherwise provided in the Development Agreement registered by the Municipality by Caveat on the title to any lot, the following provisions shall apply:
  - (i) Minimum Front and Rear Yard: 15.24 (50.00 ft.) to the habitable dwelling unit from the front parcel boundary, and 15.24 m (50.00 ft.) to the habitable dwelling unit from the rear parcel boundary.
  - (ii) Minimum Side Yard – 7.6 m (25.00 ft.) to the habitable dwelling unit from the side parcel boundary.
  - (iii) Minimum Main Floor Area – 70 m<sup>2</sup> (753.5 ft<sup>2</sup>) for a dwelling unit; and 70 m<sup>2</sup> (753.5 ft<sup>2</sup>) for a manufactured home.
  - (iv) Standards for other uses shall be as required by the Development Officer.



(5) Parcel Servicing

- (a) No building may be erected or development commenced on lots which are not proposed to be serviced by a piped water or sewerage system until the owner/applicant provides documentation ensuring development will conform, to "The Safety Codes Act".
- (b) The Development Officer shall either refuse to issue a development permit for any building, structure or works, unless arrangements under (1) above have been met, or issue a development permit subject to the condition that arrangements under (1) above shall be completed prior to the commencement of development."

(6) Landscaping Requirements

- (a) Tree removal on any lot shall be restricted to the building envelope, which is determined by the yard requirements, and for the purpose of providing one access to the site.
- (b) A landscaping plan must be submitted to the Development Officer with the Site Plan.
- (c) The removal of trees and shrubs, or destruction thereof, without a development permit is prohibited. Refer to Section 4(3) of Schedule B for additional standards.

(7) Supplementary Regulations

- (a) All uses must comply with the regulations in Schedule B.



**PUBLIC USE DISTRICT (P)**

- (1) Permitted Uses
  - (a) Park; Playground; Public or Quasi-public Uses; Utility Buildings; and Walkways.
- (2) Discretionary Uses
  - (a) Any use that is similar, in the opinion of the Development Officer, to the permitted uses described above.
- (3) All Other Requirements
  - (a) As determined by the Development Officer and in accordance with the Supplementary Regulations being Schedule B of this Land Use By-law



**ENVIRONMENTAL OPEN SPACE DISTRICT (EOS)**

- (1) Permitted Uses
  - (a) Natural Environmental Protection.
- (2) Discretionary Uses
  - (a) Any use that is similar, in the opinion of the Development Officer, to the permitted or use described above.
- (3) All Other Requirements
  - (a) As determined by the Development Officer and in accordance with the Supplementary Regulations being Schedule B of this Land Use By-law



SCHEDULE D – SPECIFIED PENALTIES FOR OFFENSES

Description of Offense	First Offense	Second Offense	Third or Subsequent Offense
Part Two Section 2.1 Commence development without a permit	\$500.00	\$1,000.00	\$5,000.00
Schedule B Section 17(3) Breach of restrictions on objects prohibited or restricted in yards	\$250.00	\$500.00	\$1,000.00
Schedule C Section (1) and (2) Permitted or Discretionary Use in contravention of this Bylaw other than Recreation Vehicle Parking and Use	\$500.00	\$1,000.00	\$5,000.00
Schedule C Section (2)(iii) Recreation vehicles in contravention of this Bylaw	\$2,000.00	\$3,000.00	\$5,000.00
Schedule C Sections (3) to (14) Use of property that is in contravention of this Bylaw	\$500.00	\$1,000.00	\$5,000.00



ATTACHMENT 1 – DEVELOPMENT PERMIT APPLICATION

Application Number (for internal use only) \_\_\_\_\_

I hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

Legal Description of Property to be developed

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Registered Plan: \_\_\_\_\_

Register Owner \_\_\_\_\_

Address \_\_\_\_\_

Existing Use \_\_\_\_\_ Land Use District \_\_\_\_\_

Is this an Application for Occupancy of a Recreation Vehicle as Living Accommodation?

(Check One) Yes \_\_\_\_\_ No \_\_\_\_\_ (If you checked yes, skip to Page 2)

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MAIN BUILDING (If the application is for a main building, complete this section)

Proposed Use \_\_\_\_\_

Is this Parcel Type: Interior \_\_\_\_\_ Corner \_\_\_\_\_ Area of Parcel \_\_\_\_\_ Sq. Ft.

The proposed set backs of the development are:

Front Yard \_\_\_\_\_ Side Yards \_\_\_\_\_ & \_\_\_\_\_ Rear Yard \_\_\_\_\_

Area of Floor \_\_\_\_\_ Sq. Ft. Portion of land covered by development \_\_\_\_\_ %

Height of Building \_\_\_\_\_ Number of Off-Street Parking Stalls \_\_\_\_\_



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ACCESSORY BUILDING (If the application is for an accessory building, complete this section)

Proposed Use \_\_\_\_\_

Portion of parcel covered by development \_\_\_\_\_ %

Height of Building \_\_\_\_\_

Distance from Side Parcel Boundary \_\_\_\_\_

Distance from Rear Boundary \_\_\_\_\_

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Date of Application \_\_\_\_\_

Estimated Date of Commencement \_\_\_\_\_

Estimated Date of Completion \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Application shall be accompanied by the following:

- (1) A non-returnable processing fee: \$100.00 **excepting permits for Recreational Vehicle Parking and Use where the annual permit fee shall be \$1,000 for the first recreation vehicle and \$1,000 for the second recreational vehicle parked on a vacant property.**
- (2) A scaled site plan showing the treatment of landscaped areas, if required, the legal description, the front, rear, and side yards, if any; any provision of off-street parking and access and egress points to the parcel.
- (3) Scaled floor plans, evaluations and buildings sections in duplicate, and sewage disposal plans.
- (4) A copy of the Certificate of Title indicating ownership and encumbrances.

FURTHER INFORMATION MAY ALSO BE REQUIRED

- 1) The Development Officer may refuse to accept an application for a development permit where the required information is not supplied or where, in his/her opinion, the quality of the material supplied is inadequate to properly evaluate the application.
- (2) The Development Officer may deal with an application without all the information required, if he/she is of the opinion that a decision on the application can be properly made without such information.
- (3) You may require a building permit from Alberta Labour, Building Standards Branch.





ATTACHMENT 2 – PLACEMENT OF SEWAGE DISPOSAL FACILITIES

BYLAW #101-05

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW #57 BEING A BYLAW TO REGULATE THE PLACEMENT OF SEWAGE DISPOSAL FACILITIES.

WHEREAS under authority of and pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, or repealed and replaced from time to time the Municipal Council of the Summer Village of White Sands has the power under bylaw to regulate and prohibit for Municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS there is concern about the risk of contamination caused by private sewage systems; and

WHEREAS the Municipal Council of the Summer Village of White Sands deems it desirable to amend Bylaw #57 to prohibit the installation and/or replacement of sewage disposal fields upon lands within the Summer Village;

NOW THEREFORE the Municipal Council of the Summer Village of White Sands, duly assembled, enacts as follows:

A) That Bylaw #57 be amended by adding the following:

- 1.2 After March 18<sup>th</sup>, 2005 only Self-contained Sewage Systems will be permitted to be installed or replaced on parcels of land within all areas of the Summer Village of White Sands. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and sewage holding tanks, but do not include disposal fields, treatment mounds, pit privies, or any other Approved System for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.

READ a first time this 18<sup>th</sup> day of March, A.D. 2005.

READ a second this 18<sup>th</sup> day of March, A.D. 2005.

READ a third time finally passed this 18<sup>th</sup> day of March, A.D. 2005.

(Original Signed) \_\_\_\_\_

Mayor

(Original Signed) \_\_\_\_\_

Chief Administrative Officer



ATTACHMENT 3 – DISPOSAL OF SEWAGE AND WASTEWATER

BYLAW #102-05

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW #87-01 BEING A BYLAW TO CONTROL AND REGULATE THE DISPOSAL OF SEWAGE AND WASTE WATER WITHIN CERTAIN AREAS AND ON CERTAIN PROPERTIES WITHIN THE SUMMER VILLAGE.

WHEREAS under authority of and pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, or repealed and replaced from time to time the Municipal Council of the Summer Village of White Sands has the power under bylaw to regulate and prohibit for Municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS there is concern about the risk of contamination caused by private sewage systems; and

WHEREAS the Municipal Council of the Summer Village of White Sands deems it desirable to amend Bylaw #87-01 to prohibit the disposal of sewage and waste water into the ground upon lands within the Summer Village;

NOW THEREFORE the Municipal Council of the Summer Village of White Sands, duly assembled, enacts as follows:

A) That Bylaw #87-01 be amended by adding the following:

- 4.1 After March 18<sup>th</sup>, 2005 only Self-contained Sewage Systems will be permitted to be installed or replaced on parcels of land within all areas of the Summer Village of White Sands. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and sewage holding tanks, but do not include disposal fields, treatment mounds, pit privies, or any other Approved System for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.

READ a first time this 18<sup>th</sup> day of March, A.D. 2005.

READ a second this 18<sup>th</sup> day of March, A.D. 2005.

READ a third time finally passed this 18<sup>th</sup> day of March, A.D. 2005.

(Original Signed) \_\_\_\_\_

Mayor

(Original Signed) \_\_\_\_\_

Chief Administrative Officer



ATTACHMENT 4 – SEWAGE AND WASTE WATER HOLDING TANK CONSTRUCTION

BYLAW #125-09

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW #87-01 BEING A BYLAW TO CONTROL AND REGULATE THE DISPOSAL OF SEWAGE AND WASTE WATER WITHIN CERTAIN AREAS AND ON CERTAIN PROPERTIES WITHIN THE SUMMER VILLAGE.

WHEREAS under authority of and pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, or repealed and replaced from time to time the Municipal Council of the Summer Village of White Sands has the power under bylaw to regulate and prohibit for Municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS there is concern about the risk of contamination caused by private sewage systems **and/or sewage holding tanks which are not constructed of reinforced pre-cast concrete**; and

WHEREAS the Municipal Council of the Summer Village of White Sands deems it desirable to amend Bylaw #87-01 to prohibit the disposal of sewage and waste water into the ground upon lands within the Summer Village;

NOW THEREFORE the Municipal Council of the Summer Village of White Sands, duly assembled, enacts as follows:

A) That Bylaw #87-01 as amended is hereby amended further to delete Section 4.1 in its entirety and replaced with the following:

- 4.1 After October 1, 2009 only Self-contained Sewage Systems will be permitted to be installed or replaced on parcels of land within all areas of the Summer Village of White Sands. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and private sewage holding tanks **that are constructed of reinforced pre-cast concrete and meet applicable/relevant CAN/CSA standards, but do not include non-concrete self-contained sewage holding tanks**, disposal fields, treatment mounds, pit privies, or any other Approved System for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.

READ a first time this 11<sup>th</sup> day of September, A.D. 2009.

READ a second this 11<sup>th</sup> day of September, A.D. 2009.

READ a third time finally passed this 11<sup>th</sup> day of September, A.D. 2009.

(Original Signed)

\_\_\_\_\_  
Mayor

(Original Signed)

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

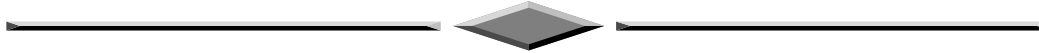
# MEMORANDUM

**To:** Mayor and Council

**From:** Greg Switenky, C.A.O.

**Date:** November 13, 2013

**Re:** Assessment Services Agreement



The Summer Village's property assessment contract with Municipal Property Consultants (2009) Ltd. (Don Sheridan & Terry Willoughby) will expire at the end of 2013 (for the taxation year 2014). Administration (Town of Stettler) has been satisfied with property assessment services provided by D. Sheridan & Terry Willoughby. They have been the Summer Village's assessor since August 2000. D. Sheridan has submitted a 5 year renewal proposal for professional assessment services at the following per parcel rates:

2013 for 2014 tax year	\$21.69 final year of existing contract (428 parcels)
2014 for 2015 tax year	\$22.50 plus \$1.00 per parcel for CAMALOT
2015 for 2016 tax year	\$23.25 plus \$1.00 per parcel for CAMALOT
2016 for 2017 tax year	\$24.00 plus \$1.00 per parcel for CAMALOT
2017 for 2018 tax year	\$24.75 plus \$1.00 per parcel for CAMALOT
2018 for 2019 tax year	\$25.50 plus \$1.00 per parcel for CAMALOT

Of note, the (former) flat fee of \$400 per account to represent the Summer Village at Composite Assessment Review Board Hearings or at the Court of Queen's Bench has been eliminated, except for mileage to be paid at \$0.55/km if the venue is someplace other than Red Deer or Stettler.

The remaining conditions in the Agreement will remain substantively the same as the previous agreement except that for reasonability purposes the Assessor(s) correction limits have been increased and will now require the Town CAO's (or designate) approval for assessment valuation reductions (pre-complaint to LARB/CARB) of up to \$100,000 (formerly \$25,000), with Council approval for anything over \$100,000. For comparison purposes, in 2013 a \$100,000 valuation generated approximately \$122 of municipal tax.

I have contacted a representative of Wild Rose Assessment Services Inc. in Red Deer to discuss their current rates (The County uses Wild Rose). They informed me that there are only a few firms performing property assessment services in Central Alberta and all are extremely busy due to the amount of available work combined with qualified staff shortages. They indicated to me that maintaining existing (economical) relationships is wise given the market demand for Assessors. Further they would be interested in our business should we desire to make a change, however it would not be for cost savings purposes. They advised that a fair parcel rate for the Town of Stettler would start in the \$23 to \$25 dollar range.

The Summer Village of Rochon Sands and the Town of Stettler both contract with D. Sheridan & Terry Willoughby for assessment services. Similar to our banking and audit services, the Town of Stettler (Administration and Accounting Services Agreement) expects the Summer Village to utilize the same Assessor in order to realize administrative synergies.

**Recommendation:**

That the Summer Village of White Sands Council approves a five-year Professional Services Agreement, as substantively presented with Municipal Property Consultants (2009) Ltd, owners Don Sheridan, A.M.A.A. and Terry Willoughby, A.M.A.A. for the provision of general property assessment services with annual fees/rates as follows:

- 2014 for 2015 tax year - \$22.50 per parcel plus \$1.00 per parcel for CAMALOT
- 2015 for 2016 tax year - \$23.25 per parcel plus \$1.00 per parcel for CAMALOT
- 2016 for 2017 tax year - \$24.00 per parcel plus \$1.00 per parcel for CAMALOT
- 2017 for 2018 tax year - \$24.75 per parcel plus \$1.00 per parcel for CAMALOT
- 2018 for 2019 tax year - \$25.50 per parcel plus \$1.00 per parcel for CAMALOT

And mileage to be paid at \$0.55/km to attend Local/Composite Assessment Review Board Hearings or the Court of Queen's Bench attendance if venue is someplace other than Red Deer or Stettler.

And further that Don Sheridan, A.M.A.A. and Terry Willoughby, A.M.A.A. operating as Municipal Property Consultants (2009) Ltd. be appointed to the position of Assessor(s) for the Summer Village of White Sands for the term of the agreement.

# MUNICIPAL PROPERTY CONSULTANTS (2009) LTD.

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A2 83 Burnt Park Drive  
Red Deer, AB. T4P 0J7  
Phone (403) 309-4190  
Fax (403) 309-4149

February 26, 2013

Greg Switenky  
Director of Finance & Administration  
Town of Stettler  
Box 280  
Stettler, AB.  
T0C 2L0

**Re: SUBMISSION FOR ASSESSMENT SERVICES FOR THE SUMMER VILLAGE OF WHITE SANDS**

<b>Assessment Year</b>	<b>Annual Rate Per Parcel</b>
<b>2014</b>	<b>\$22.50/ parcel</b>
<b>2015</b>	<b>\$23.25/ parcel</b>
<b>2016</b>	<b>\$24.00/ parcel</b>
<b>2017</b>	<b>\$24.75/ parcel</b>
<b>2018</b>	<b>\$25.50/ parcel</b>

## **PLEASE NOTE THE FOLLOWING CONDITIONS**

1. The cost per parcel rate will be charged per account per annum.
2. G.S.T. will be applied to the above quoted prices.
3. The above quotes are for a complete assessment service for the 2014 to 2018 assessment cycle (January 1 through to December 31 annually).

4. If Municipal Property Consultants (2009) Ltd. (MPC) is not awarded an additional five year extension at the completion of the 2018 assessment cycle, we will be responsible to deliver the completed assessment roll to the Summer Village of White Sands prior to February 28, 2019. MPC will be responsible in handling all enquiries and the appeal process pertaining to the 2018 assessment year. MPC will cooperate in good faith with the Summer Village of White Sands through a transition period, including the negotiation of fair and reasonable compensation for the ongoing continuity of some assessment services in the event that the Agreement is not extended or renewed.
5. The Summer Village of White Sands will be responsible for the annual lease cost of the CAMA lot computer system @ \$1.00 per parcel.
6. Method of payment will be monthly invoices throughout the assessment year unless alternative payment options have been agreed upon.
7. For Local Assessment Review Boards Hearings there will be no extra charge unless it is mutually agreed on by MPC and the Summer Village of White Sands. Mileage will be paid to MPC at \$0.55 / km for travel to any other destination.

Sincerely,

Don Sheridan, A.M.A.A.  
Municipal Property Consultants (2009) Ltd.  
A2 83 Burnt Park Drive  
Red Deer, AB.  
T4P 0J7  
[d.sheridan@telus.net](mailto:d.sheridan@telus.net)

October 9, 2013

Summer Village of White Sands  
P.O. Box 119  
Stettler, AB T0C 2L0

Dear Administration/Council:

**RE: MUNICIPAL FUNDING REQUEST for 2014**

Thank you Summer Village of White Sands for your support of the Red Deer River Watershed Alliance (RDRWA). The organization is in its ninth year of operation following the mandate established for Watershed Planning and Advisory Councils (WPACs) by the Provincial *Water for Life Strategy*. Through your support, past and present, we have been able to build collaborative partnerships; acting together to promote a healthy watershed to ensure a legacy of ecological integrity and economic sustainability throughout the Red Deer River basin.

Helping to better understand the watershed is a key initial step in watershed planning. Past funding support from stakeholders enabled the 2009 completion of the State of the Watershed Report, our major project. Now with your continued financial support, the RDRWA will develop an Integrated Watershed Management Plan (IWMP) for the Watershed. This multi-year project, started in 2010, is scheduled for completion in the 2014, provided adequate funding is obtained.

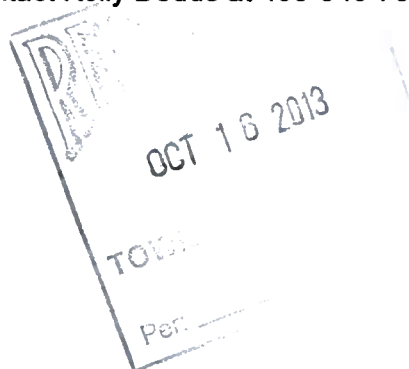
The RDRWA educational and stewardship outreach programs have been expanded to include delivery in classrooms, at summer camps and in the field, to all ages, in all areas of the watershed. Two years ago, the RDRWA launched a Watershed Ambassador Program which has recognized the achievements of 120 watershed stewards to honour their contribution to a healthier watershed. We continue to confer ambassadorships at programmed breakfast events on the third Friday of each month and at other stewardship events throughout the year.

To help fulfill the mandate and meet timelines set out in the *Water for Life Strategy*, the RDRWA respectfully requests that your municipality again considers a financial contribution based on the 50 cents per capita established rate for municipal donations. The Red Deer River Watershed Alliance will very much appreciate your continued financial support to continue our project and program plans in 2014. In this regard, please forward your cheque *or invoice request* to the Red Deer River Watershed Alliance Society. If you require more information, please contact Kelly Dodds at 403-340-7379.

Yours truly,



Gerard Aldridge  
Executive Director







Association of  
**SUMMER VILLAGES**  
OF ALBERTA

November 7, 2013

Dear Councillors and Administrators:

**Re:                                   Municipal Government Act Review by Province  
                                          We Have Voices That Must Be Heard**

As you're aware, the Province of Alberta is conducting a comprehensive review of the *Municipal Government Act*. The Department of Municipal Affairs is soliciting opinions from Albertans about the desired changes and your Board of Directors is convinced that we must make the opinions of summer village councils and their respective ratepayers known to the government if we are going to ensure that our priorities and opinions may be considered.

I've attached a document for your reference that contains excerpts from the current MGA and the *Local Authorities Elections Act*.

Of course, each Council and each ratepayer is at liberty to voice their own opinions with respect to the upcoming review but the consensus opinions of your Board members are as follows:

1. Summer villages have been created, under the MGA, because many years ago it was recognized that the particular requirements of the property owners and residents of properties adjacent to Alberta's lakes and other water bodies are significantly different from those of their surrounding property owners who were typically farmers, ranchers, owners of businesses or non-resident property owners. The requirements of the recreational property owners were not being met by the larger municipalities in which they were located and there was no prospect that they would be met in the future because of the dominant focus by the municipal councils on the priorities of the other residents.
2. There has been no change in either the focus of the councils of the larger municipalities or in the needs and priorities of the residents of summer villages over the past many years and there is virtually no prospect of a future change that could merge those priorities into a single set.
3. Summer village councils throughout the province provide good government, services and facilities that are necessary or desirable for their municipalities and specifically they develop and maintain safe and viable communities.
4. Many of the necessary or desirable services provided by summer village councils to their ratepayers are obtained from surrounding larger municipalities or from private contractors. The municipalities providing those services benefit financially from the



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- contracts with the summer villages and are able to provide a better service to all residents as a result of the improved operating economics. Summer villages pay their fair share of the cost of municipal services provided to them.
5. The test of a municipality's viability should include stewardship responsibilities as well as financial viability including assessments of the municipality's ability to:
    - a) attract responsible councillors and administrative staff,
    - b) provide effective administrative services,
    - c) obtain municipal services on a fair and equitable basis from surrounding municipalities, and
    - d) remain financially viable, with a stable assessment base and reasonable tax burden on its ratepayers
    - e) have high levels of participation in programs such as "The Living By Water Project"
    - f) significant contributors to Regional Collaborative Groups; such as the Sylvan Lake Management Committee and the Association of Pigeon Lake Municipalities
    - g) be the driving force in Regional Waste Water Systems around lakes
    - h) develop land use bylaws and open space plans with very specific protection for local watersheds
  6. Summer villages should be allowed to amalgamate without the condition precedent of the municipalities being contiguous. It would be preferable to allow summer villages to amalgamate if the amalgamating summer villages are adjacent to the same lake or water body. An amalgamated summer village could adopt a ward or division system for the election of councillors, in much the same way as is currently practiced in larger municipalities.
  7. There are multiple examples where Summer Villages located on the same lake are presently practicing "Regional Collaboration" in the truest sense by sharing administrative and operating costs. However, where this doesn't occur, a well thought out and implemented amalgamations of summer villages, if desired by the ratepayers, could significantly improve the overall level of services provided to residents and possibly reduce the net cost of administration. This change would, in effect, further stimulate what now amounts to regional collaboration amongst larger municipalities and summer villages within a region.

Your Board trusts that the above information, together with the relevant excerpts from the MGA and the *Local Authorities Election Act* may provide some assistance in formulating the opinions that you will forward to the Minister of Municipal Affairs, the Hon. Doug Griffiths.



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The previous Minister of Municipal Affairs publicly acknowledged that it was the letter writing campaign by residents of the summer villages that had a significant impact on the government's attitude toward summer villages and which was instrumental in changing their opinions with respect to the viability of summer villages and the need for their continued existence.

We urge you to contact your ratepayers in the very near future, provide them with whatever information you deem to be appropriate and urged that they, in turn, also forward their opinions to the Minister.

If you have any questions or wish to discuss this very important matter with any of your board members, please feel free to contact us at any time. As always, you are welcome to attend our board meetings, which are typically held on the second Thursday of each month.

Beverly Anderson, our Executive Director, may be reached at 403-506-2744 or by e-mail at: [b.anderson@asva.ca](mailto:b.anderson@asva.ca) OR [summervillages@gmail.com](mailto:summervillages@gmail.com)

Thank you for your consideration and for your support of summer villages.

Yours sincerely,

**THE ASSOCIATION OF SUMMER VILLAGES OF ALBERTA**

**Peter G. Pellatt**  
**President**

## **BYLAW NO. 142-13**

Being a Bylaw of the Summer Village of White Sands, in the Province of Alberta, to prohibit certain activities in order to prevent and compel the abatement of noise, nuisances, unsightly premises and public disturbances;

COUNCIL OF THE SUMMER VILLAGE OF WHITE SANDS ENACTS AS FOLLOWS:

1 This Bylaw shall be called the "Community Standards Bylaw".

2 In this Bylaw, the following definitions shall apply:

**"Bylaw Enforcement Officer"** means a Bylaw Enforcement Officer appointed by the Summer Village, pursuant to the Municipal Government Act, for the purpose of enforcing the Summer Village's Bylaws, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer. For the purpose of inspection and enforcement under this Bylaw, a Bylaw Enforcement Officer is a Designated Officer.

**"Designated Officer"** means a person appointed by the Summer Village whose authority includes inspections or enforcement of the Summer Village's Bylaws and includes a Bylaw Enforcement Officer, **Development Officer and Chief Administrative Officer**.

**"Graffiti"** means 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; or
- (ii) the affixing of any substance, including paper, fabric or plastic, by 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.

**"Public Beach"** means "Public Property".

**"Public Lands"** means "Public Property".

**"Public Place"** means any place, including privately owned or leased property, to which the public reasonably has or is permitted to have access;

**"Private Property"** means all property within the Summer Village other than property constituting Public Property.

**"Public Property"** means property owned by or under the control and management of the Government of Canada, Government of Alberta, or the Summer Village, contained within the boundaries of the Summer Village.

**"Summer Village"** means the Summer Village of White Sands in the Province of Alberta.

### **Part 1 – Noise**

1. (1) No person shall cause or permit any noise that annoys or disturbs the peace of any other person.  
(2) No person shall permit property that they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.  
(3) No person shall yell, scream, or swear in any public place.  
(4) In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:
  - a) type, volume and duration of the sound;
  - b) time of day and day of the week;
  - c) nature and use of the surrounding area.

## Industrial/Construction Noise

2. (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.
3. With the exception of the activities referred to in section 2 herein, unless permission from the Administrator of the Summer Village is first obtained, no person shall use, operate or allow to be used or operated any tools, machinery or equipment so as to create a noise, or disturbance which may be heard in a residential building between the hours of ten o'clock in the evening and seven o'clock in the morning of any day.

## Exceptions

4. These provisions do not apply to work carried on by the Summer Village, or by a contractor carrying out the instructions of the Summer Village.
5. These provisions do not apply to contractors carrying out snow removal from commercial or industrial sites which are not adjacent to residential districts.
6. In the case of snow removal from commercial or industrial sites located adjacent to residential districts, and where in the reasonable opinion of the Administrator of the Summer Village it is necessary to do so to ensure the peace and quiet of residents, the Administrator of the Summer Village may require noise abatement practices including one or both of the following conditions:
  - (a) a requirement that snow not be removed between 12:00 a.m. and 6:00 a.m.
  - (b) a requirement that snow be removed from a site in a sequence which is least disruptive to the peace and quiet of residents.

## Part 2 – Nuisance, Unsightly Premises, Graffiti

**“Nuisance”** for the purpose of this Bylaw includes any use of or activity upon any property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighborhood, and without limiting the generality of the foregoing, includes the following:

- (a) the failure to cut grass, weeds, shrubs, trees or other landscaping features incidental to a landscaped area;
- (b) the failure to maintain grass, weeds, shrubs, trees or other landscaping features incidental to an approved landscaped area in a commercial, industrial, institutional, government or multifamily development;
- (c) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;
- (d) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk roadway clearance;
- (e) the accumulation of any material that creates unpleasant odors, any material that attracts pests or any animal remains, parts of animal remains or animal feces;
- (f) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, loose garbage, rubbish, packaging material, scrap metals, scrap lumber, tires, parts of disassembled machinery, equipment or appliances and motor vehicle parts;
- (g) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of 6 minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;
- (h) the generation of excessive dust on a property and permitting such dust to escape from the property;
- (i) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
- (j) the failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;

- (k) the storage or accumulation of dilapidated or derelict vehicles or the storage of unregistered vehicles in excess of two vehicles on any residential or commercial site except vehicles that are stored in an approved accessory or temporary building;
- (l) the failure to maintain an accessory building, structure or fence such that it deteriorates, becomes unsightly or becomes a safety hazard;
- (m) the failure to fence or secure an excavation, drain, ditch or other depression so that it does not become a danger to public safety;
- (n) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition;
- (o) burning anything other than dry untreated clean wood in a residential wood fireplace.

1. No person being the owner, agent of the owner, lessee or occupier of any property within the Summer Village shall permit such property, or the activities upon such property to be or remain a nuisance or safety hazard.

### **Graffiti**

2. (1) No person shall place graffiti or cause it to be placed on any property.  
 (2) Every property owner shall ensure that graffiti placed on their premises is removed, painted over, or otherwise permanently blocked from public view.  
 (3) A property owner who breaches the provisions of Section 2(b) where, following the issuance of and failure to comply with an Order under section 545 of the Municipal Government Act, shall be liable to payment of a penalty as prescribed in Schedule "A".  
 (4) In prosecuting for an offence under this Part, the consent of the property owner of any premises to place graffiti shall not be a defense under this Bylaw.

### **Household Waste**

3. (1) Household waste consisting of such domestic rubbish as bottles, cans, clothing, disposables, food packaging, food scraps, paper and cardboard that originates from private homes is accepted at the White Sands Waste Transfer Station.  
 (2) Household waste does not include such items as: yard waste; furniture and beds; appliances; lawn equipment; metal or wood; construction materials; demolition scrap; batteries, paints and other toxic items; and generally large items that should be separated at the landfill site from domestic household waste.

### **Construction Waste**

4. (1) Each construction site shall have an appropriate waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.  
 (2) No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area.

### **Nuisance Enforcement**

5. (1) The Bylaw Enforcement Officer or Designated Officer may, after giving reasonable notice to the owner or occupier of the premises, enter upon said premises and carry out an inspection.  
 (2) Upon completion of the inspection, the Bylaw Enforcement Officer or Designated Officer may direct the owner or occupant of the property to:
  - (a) cease the activity which causes the nuisance;
  - (b) change the way in which such person is carrying out any activity;
  - (c) direct any person to take any action or measure necessary to compel the elimination or abatement of the nuisance, including:
    - (i) the removal of any thing or matter from the property, which constitutes the nuisance; and
    - (ii) the construction or installation of a garbage bin or enclosure or the repair of an existing garbage enclosure;
    - (iii) enter into a cleanliness agreement in a form to the satisfaction of the Bylaw Enforcement Officer or Designated Officer.
  - (d) specify the time within which such person must comply with the directions contained in the notice; and

(e) notify the owner or occupant that, if compliance with the notice is not effected within a specified time, the Summer Village will take the actions or measures specified in the notice to abate the nuisance, at the expense of the owner or occupier;  
(f) offer the owner or occupant of the property an opportunity to enter into any other voluntary agreement with the Summer Village to keep the premises clean, tidy and free of nuisances.

(3) Any person who refuses to allow an inspection of the premises under Section 4(1) is guilty of an offence.

(4) Any person who fails to comply with a direction made under Section 4(2) is guilty of an offence.

6. No person shall cause or permit or undertake any activity upon any Summer Village property which is a nuisance.

### Littering

7. (1) No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Summer Village property, including any street, lane, sidewalk, parking lot, park, public beach or other public place or water course:
- (a) a cardboard or wooden box, carton, container, or receptacle of any kind;
  - (b) a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;
  - (c) paper of any kind, whether or not containing written or printed matter thereon;
  - (d) cigarette butts;
  - (e) any human, animal or vegetable matter or waste;
  - (f) any glass, crockery, nails, tacks, barbed-wire or other breakable or sharp objects;
  - (g) scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts therefrom;
  - (h) any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;
  - (i) dirt, filth or rubbish of any kind whether similar or dissimilar to the foregoing.
- (2) A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in subsection (1) above upon any street, lane, sidewalk, parking lot, park, public beach or other public place or water course shall forthwith remove it.

### Spitting/Urinating

8. (1) No person shall urinate or deposit any human waste in any public place or in any place to which the public is allowed access, other than a public washroom.  
(2) No person shall spit at any person or on any public or private property that they do not own.

### Camping, Tenting or Occupying Public Property

9. (1) No person shall camp, tent, sleep, or set up any form of shelter on any Public Lands or Public Beaches without signed written consent from the Summer Village.  
(2) No person shall park, store, or otherwise abandon any **Boat Lift, Dock, Recreational Vehicle, Trailer, or any other vehicle** on any Public Lands or Public Beaches without signed written consent from the Summer Village.  
(3) **The Village shall have the right to remove all non-approved objects/materials/items off of Public Property.**  
(a) **The Village shall have the right to recover reasonable removal costs from the owner of the item that was removed. The Village shall not be held responsible for any damages caused to a non-approved object during or after removal from public property.**

### Damage to Public Lands

10. (1) No person shall cause or permit to be caused any damage to Public Lands or Public Beaches  
(2) No person shall cut down or remove any tree or other vegetation from any Public Lands or Public Beaches without the written consent of the Summer Village.

(3) Any person found guilty of a contravention of this Section of this Bylaw shall also be held liable for any costs incurred by the Summer Village to restore the Public Lands, Public Beaches, and/or trees and vegetation that were damaged.

### **Parking of Vehicles**

11. (1) Any vehicles parked on Public Property shall be fined under this Bylaw and removed (towed) with all removal and storage costs to be paid by the owner of the vehicle.
- (2) Any vehicles parked in designated "no parking areas" shall be fined under this Bylaw and removed (towed) with all removal and storage costs to be paid by the owner of the vehicle.

### **Part 3 – Off Highway Vehicles**

"The provisions and regulations of the Traffic Safety Act as amended are hereby incorporated into this Section, including the following definitions";

**"Off Highway Vehicle"** means any motorized mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp lands, or on other natural terrain;

1. (1) No person shall operate an Off Highway Vehicle upon any Public Lands or any Public Beach areas within the Summer Village;
- (2) No person shall operate an Off Highway Vehicle upon any Private Property unless they are the owner of such property or unless they have the express permission of the property owner;
- (3) The provisions of subsection (1) above do not apply in any area where there are signs indicating that Off Highway Vehicles are permitted or if the person has signed written consent to operate an Off Highway Vehicle on Public Property or Public Beaches from the Administrator of the Summer Village.
2. (1) No person shall operate any vehicle upon any Public Lands or any Public Beach areas within the Summer Village;
- (2) No person shall operate any vehicle upon any Private Property unless they are the owner of such property or unless they have the express permission of the property owner;
- (3) The provisions of subsection (1) above do not apply in any area where there are signs indicating that vehicles are permitted or if the person has signed written consent to operate a vehicle on Public Property or Public Beaches from the Administrator of the Summer Village.
3. (1) No person shall operate any Off Highway Vehicle in such a manner so that it annoys or disturbs the peace of any other resident of the Summer Village.
- (2) No person shall operate any Off Highway Vehicle in such a manner so that it causes dust, smoke, or exhaust that causes a nuisance to any other resident of the Summer Village.
4. (1) Where a vehicle or Off Highway Vehicle is driven, used, parked or left in contravention of any provision of this Bylaw, the owner of the vehicle shall be deemed responsible for the contravention and liable to the penalty provided herein, unless he proves to the satisfaction of the Court trying the case that at the time of the contravention the vehicle was not being driven, used, parked or left by him or any other person with his express or implied consent.
- (2) Any property owner who allows or permits a person living, staying, or visiting at their property to operate a vehicle or Off Highway Vehicle in contravention of this Bylaw shall be issued fines in accordance with this Bylaw if the owner or operator of the vehicle or Off Highway Vehicle cannot be determined.

### **Part 4 – Inspection of Properties**

1. (1) Council hereby authorizes any Bylaw Enforcement Officer, CAO or Designated Officer to enter any lands, buildings or premises, not including a private dwelling, during daylight hours to inspect for any conditions that may constitute a nuisance or contravene or fail to comply with the provisions of this By-Law.



## Part 5 – Penalties

1. (1) Any person who breaches any section of this Bylaw is guilty of an offence and liable to:
  - a) payment of the penalty specified in Schedule "A" hereto; or
  - b) for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.00;and in default of payment of any penalty, to imprisonment for up to one (1) year.
2. Notwithstanding Part 4 Section 1 of this Bylaw, any person who commits a second or subsequent offence under this Bylaw within twelve (12) months of committing a first offence under this Bylaw, may be liable to an increased fine as set out in Schedule "A".
3. A Bylaw Enforcement Officer or Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to the Provincial Offences Procedure Act to any person who the Bylaw Enforcement Officer or Designated Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
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.
5. A person who commits an offence may:
  - (a) If a violation ticket is issued in respect of the offence; and
  - (b) If the violation ticket specifies 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 Court Office specified on the violation ticket.

### General

6. If any term, clause or condition of this bylaw or application thereof, to anything or circumstance shall to any extent be invalid or unenforceable, the remainder of this bylaw or application of such terms, clause or condition to anything or circumstance, other than those to which it is held as invalid or unenforceable, shall not be affected thereby and each other term, clause or condition of this bylaw shall be enforced to the fullest extent permitted.
7. Definitions in this bylaw shall apply to all words written whether capitalized or not.
8. Bylaw 129-10 and any amendments thereto is rescinded in its entirety.
9. This bylaw shall come into force and effect after a third reading thereto.

Read a first time this \_\_\_\_ day of \_\_\_\_\_, 2013.

Read a second time this \_\_\_\_ day of \_\_\_\_\_, 2013.

Read a third time and passed this \_\_\_\_ day of \_\_\_\_\_, 2013.

Summer Village of White Sands

\_\_\_\_\_  
Mayor

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

Schedule "A"  
Schedule of Fines

	INFRACTION	FIRST OFFENCE	SECOND OFFENCE	THIRD & SUBSEQUENT OFFENCE
<b>PART 1</b>				
Section 1(1)	Cause or permit noise that disturbs the peace of another person	\$250.00	\$500.00	\$1000.00
Section 1(2)	Owner of property permitting noise that disturbs the peace of another person	\$250.00	\$500.00	\$1000.00
Section 1(3)	Yelling, Screaming, or Swearing in a Public Place	\$150.00	\$300.00	\$600.00
<b>PART 2</b>				
Section 1	Permitting a nuisance on Private Property	\$250.00	\$500.00	\$1000.00
Section 2(1)	Placing Graffiti on any property	\$500.00	\$1000.00	\$2500.00
Section 2(2)	Failure to remove Graffiti	\$250.00	\$500.00	\$1000.00
Section 3(1)	Disposal of waste other than household waste at the Waste Transfer Station	\$250.00	\$500.00	\$1000.00
Section 4(1)	Failure to have a waste container at a construction site	\$250.00	\$500.00	\$1000.00
Section 5(3)	Failing to allow a Bylaw Enforcement Officer access to carry out an inspection	\$500.00	\$1000.00	\$2500.00
Section 5(4)	Fail to comply with an order of a Bylaw Enforcement Officer	\$500.00	\$1000.00	\$2500.00
Section 6	Causing a nuisance on Summer Village Property	\$500.00	\$1000.00	\$2500.00
Section 7(1)	Depositing litter on Summer Village Property	\$250.00	\$500.00	\$1000.00
Section 7(2)	Failing to remove litter	\$250.00	\$500.00	\$1000.00
Section 8(1)	Urinating or depositing human waste in a public place	\$500.00	\$1000.00	\$2500.00
Section 8(2)	Spitting in a public place or on private property or Spitting at a person	\$250.00	\$500.00	\$1000.00
Section 9(1)	Camping, tenting, sleeping, or setting up shelter on Public Lands or Public Beaches	\$250.00	\$500.00	\$1000.00
Section 9(2)	Park, store, or abandon any RV, trailer, boat lift, dock, or vehicle on Public Lands or Public Beaches	\$250.00	\$500.00	\$1000.00
Section 10(1)	Cause or permit to be caused damage to Public Lands or Public Beaches	\$500.00	\$1000.00	\$2500.00
Section 10(2)	Cut down or remove any tree or other vegetation from Public Lands or Public Beaches	\$500.00	\$1000.00	\$2500.00
Section 11(1)	Parking of vehicle on Public Property	\$250.00	\$500.00	\$1000.00
Section 11(1)	Parking of vehicle in a designated "no parking area"	\$250.00	\$500.00	\$1000.00
<b>PART 3</b>				
Section 1(1)	Operate Off Highway Vehicle on Public Property or Public Beach	\$250.00	\$500.00	\$1000.00
Section 1(2)	Operate Off Highway Vehicle on Private Property	\$250.00	\$500.00	\$1000.00
Section 2(1)	Operate Vehicle on Public Property or Public Beach	\$250.00	\$500.00	\$1000.00

Section 2(2)	Operate Vehicle on Private Property	\$250.00	\$500.00	\$1000.00
Section 3(1)	Operate an Off Highway Vehicle in a manner that disturbs the peace of any resident	\$250.00	\$500.00	\$1000.00
Section 3(2)	Operate an Off Highway Vehicle in a manner that causes a nuisance by way of dust, smoke, or exhaust	\$250.00	\$500.00	\$1000.00