

Town of Drumheller COUNCIL MEETING AGENDA

Tuesday, February 19, 2019 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta



Page

1. CALL TO ORDER

Councillor Fred Makowecki to be sworn in as Deputy Mayor for the months of March and April, 2019

2. MAYOR'S OPENING REMARK

3. ADOPTION OF AGENDA

4. MINUTES

4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

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- 4.1.1. Regular Council Meeting Minutes of February 4, 2019
[Regular Council Meeting Minutes of February 4, 2019](#)

4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

4.3. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

- 5.1. Ryan Semchuk - Travel Drumheller Chair - presentation on branding on behalf of the Economic Development Advisory Committee

6. REQUEST FOR DECISION REPORTS

6.1. CAO

8 - 25

- 6.1.1. Bylaw 07.18 being the Community Standards Bylaw - 2nd reading
[Bylaw 07-18 Community Standards Bylaw - 2nd reading](#)

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- 6.1.2. Bylaw 03.19 being a bylaw to amend the Land Use Bylaw (former Town Hall to R4 District) - 1st reading
[Bylaw 03.19 being a bylaw to amend the LUB Bylaw 10.08 - first reading](#)

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- 6.1.3. Bylaw 04.19 being the Tourism Corridor Bylaw - 1st reading
[Bylaw 04.19 Tourism Corridor Property Standards - first reading](#)
[2019 Tourist Corridor Mapping](#)
[Council Policy C-04-02 Drumheller Landscaping](#)

- 6.1.4. RFD - Engineering Consultants for Roads and Bridges

- 6.1.5. Three Year Operating Budget Discussion

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

6.3. DIRECTOR OF INFRASTRUCTURE SERVICES

6.4. DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES

6.5. REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

- 6.5.1. Fill Vacancies
- 6.5.2. Elks Demolition
- 6.5.3. Infrastructure Master Plan TC Asset - Engage Municipal Accountant

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

Round Table

13. IN-CAMERA MATTERS

**Town of Drumheller
COUNCIL MEETING
MINUTES**

February 4, 2019, at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Heather Colberg

Tom Zariski

COUNCIL:

Kristyne De Mott

Jay Garbutt

Lisa Hansen-Zacharuk

Tony Lacher

Fred Makowecki

CHIEF ADMINISTRATIVE OFFICER:

Darryl Drohomerski

DEPUTY CAO/DIRECTOR OF CORPORATE SERVICES:

Barb Miller

DIRECTOR OF PROTECTIVE EMERGENCY SERVICES:

Greg Peters

COMMUNICATIONS OFFICER/ECONOMIC DEVELOPMENT OFFICER:

Julia Fielding

RECORDING SECRETARY:

Linda Handy

1. CALL TO ORDER

Mayor Heather Colberg called the meeting to order at 4:30 PM.

2. MAYOR'S OPENING REMARK

Mayor Colberg announced two upcoming meetings and encouraged the public to attend:

Humane Society SpayGetti Lunch on Saturday, February 9th at the BCF

Parade Committee February 5th at 3:30 PM at Town Hall:

Councillor Jay Garbutt presented a \$30,000 reserve payment from Drumheller Housing Administration (Sandstone Manor).

3. ADOPTION OF AGENDA

MO2019.14 Lacher, DeMott moved to adopt the agenda as presented. Carried unanimously.

4. MINUTES

4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

4.1.1. Regular Council Meeting Minutes of January 21, 2019

MO2019.15 Makowecki, Garbutt moved to adopt the Regular Council Meeting Minutes of January 21, 2019 as presented. Carried unanimously.

4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

- 4.2.1** Municipal Planning Commission Meeting Minutes of December 3, 2018
- Municipal Planning Commission Meeting Minutes of January 8, 2019

4.3. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

6. REQUEST FOR DECISION REPORTS

6.1. CAO

6.1.1 Capital Budget Discussion

Highlights include:

Removal of the Elks Building and installation of three portable washrooms (C-containers converted into washrooms; insulated with power and baseboard heaters and placed near the connections for water and sewer);

Information Services – upgrades the server;

New pick-up truck for the Fire Chief as well as new ladder pumper;

Flood mitigation put dollars in every year over five years (\$4,600,000 unfunded);

Pen Booster Station – sizing of lines are adequate but lines will be flushed to see if pressure is improved. Kneehill (Churchill) pays a capital and consumption amount – part of this amount goes into a reserve;

Vehicles – purchase new sander (10 year life span), new steamer, pole cat bucket flusher truck, plow truck, one ton dump truck for sludge for Wastewater Treatment Plant (WTP);

Heavy Duty Equipment – grader repairs (with intent to extend its life for 3-4 years).

Floor scrubber for WTP;

Leak detector for water distribution system (Utility Staff are trained for this equipment);

Street Rehab Program – complete Hunts Crescent, consider other Projects such as Greentree area, (Council requested consideration be given to Elgin Hill); Evaluating with our consultant- Alberta Transportation on road projects for 2019 - replacement of Bridge 4 to Wayne has been awarded and it will be an eight-month project. Section between Newcastle Trail and Plug Street is Alberta Transportation's responsibility and it will be overlaid this year;

Bridge 11 (carry forward from previous year with additional \$300,000 however it is still dependent upon funding). Anticipating that the Province will respond in April or May on approval; letter of support from Wheatland County was included as well. Council recommended that Wheatland County lobbying the government for dollars as this bridge impacts their residents as well;

Bulk water station will be moved to the WTP (moved out of residential area) and install a key card facility;

Beautification – stamped concrete in the median in front of Drumheller Chrysler;

Aquaplex – air handling unit required due to high humidity; as well as looking at options to deal with the height challenge for some individuals when exercising in the pool;

Fountain – no work is scheduled for this year however dollars have been included in 2020 for long term improvements, hopefully the Town will partner with an organization on this upgrade. Council agreed that underground imaging is required this year to investigate if there are any underground voids due to water seepage; and

Replacement of decorative street lights – last year of the program and forms part of streetscaping for the downtown core.

Of note for 2020 - WTP / WWTP Optimization - \$4M capital upgrades to meet government standards based on study carried out in 2018 – Alberta Environment will determine whether this work needs to be carried out when the Town's license is due for renewal.

B. Miller stated the capital reserve balances will be reviewed with Council in the new future.

Council asked whether leasing should be considered rather than purchasing capital items. B. Miller explained that typically the interest and lease rates are not the best financial decision. D. Drohomerski explained that in some cases, if the item is a six figure purchase, Administration would consider this option. Councillor T. Zariski stated that the BCF needs some upgrades: the film on the window is peeling and the floor in the fieldhouse may need refurbishing in the near future. D. Drohomerski stated that it has been considered for a refurbishing possibly next year. In response to a question from Council, B. Miller stated that there is approximately \$8M total new capital expenditures with \$4.9 being unfunded. She further stated that there is uncertainty around MSI and other grant funding and capital expenditures may have to be reworked following the spring election. Councillor J. Garbutt stated that the capital budget is infrastructure dominated.

6.1.2 RFD – Delegation of Powers for Development Officer

D. Drohomerski advised that Tracy Breese commenced employment as the Town's Development Officer on January 21st, 2019. Council is required to appoint a Development Officer or else it would be the responsibility of the CAO. Administration is recommending that Tracy Breese be appointed as the Town's Development Officer.

MO2019.16 Zariski, Hansen-Zacharuk moved to approve the appointment of Tracy Breese as Development Officer. Carried Unanimously.

6.1.3 RFD – Appointment to Heritage, Arts and Culture Committee

D. Drohomerski advised that Bee Niles has submitted her name to serve on the Heritage, Arts and Culture Committee. Administration is recommending that Council approve the appointment of Bee Niles. There is no term on the appointment.

MO2019.17 Hansen-Zacharuk, Makowecki moved to approve the appointment of Bee Niles to the Heritage, Arts and Culture Committee. Carried Unanimously.

Councillor L. Hansen-Zacharuk stated that more involvement from the public at large is welcomed on this Committee and she encouraged the public to consider serving in this capacity.

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES**6.3 DIRECTOR OF INFRASTRUCTURE SERVICES****6.4 DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES****6.4.1 RFD – Appointment to Weed Inspector**

G. Peters advised that Leslie Pepper has completed her training requirements and recommended that she be appointed as a Weed Inspector to enforce infractions under the Provincial Weed Control Act.

MO2019.18 Hansen-Zacharuk, Lacher moved to consider the appointment of Leslie Pepper as a Weed Inspector for the Town of Drumheller.

Councillor Jay Garbutt asked for a friendly amendment that Council “appoint” Leslie Pepper as a Weed Inspector (not “consider the appointment of”). Council agreed.

MO2019.18A Hansen-Zacharuk, Lacher moved to appoint Leslie Pepper as a Weed Inspector for the Town of Drumheller. Carried Unanimously.

6.5 REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

Economic Development Strategy Action Plan – J. Fielding stated that the strategy is completed and the Economic Development Advisory Group will present to Council in the near future. (New date: Feb. 25th)

Emergency Plan – Flood Component (Communication) – J. Fielding stated that “*Changing the Channel Newsletter*” was published last week. She further stated that 60 people have signed up for the newsletter. Councillor F. Makowecki asked that the Town consider those residents that are not on social media. J. Fielding advised that she will be visiting the senior manors. (New date: Mar. 11th)

Communication Strategy (SmartPhone App) – J. Fielding stated that a draft communication strategy has been prepared. Administration and Council viewed the CivicWeb App last week. D. Drohomerski advised that he is getting pricing and will work with the IT provider so that any new app will mesh with the Town’s software. (New date: Mar. 11th)

DinoBrand (Logo) – J. Fielding presented two designs in January using a designer with RTM and the team will come with new logos on February 13th. Council would like to see something modern and realistic resembling Jurassic Park. J. Fielding explained that the number of pixels and multiple uses must be taken into consideration when developing the design.

Downtown Development – Terms of Reference / Costs – J. Fielding stated that the Terms of Reference are aligned with Council’s vision of last year and the Economic Development Advisory Committee will be taking a lead and recommending blade signs for the downtown core. (New date: Mar. 25th)

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Toboggan Hill Lease - Looking at locations on the south side of river because the north side the snow tends to melt. (New date: Apr. 1st

Staff Vacancies – D. Drohomerski stated that the candidates have been shortlisted for the positions of Economic Development Manager and Infrastructure Services Director with decisions to be made within the next week or 10 days. (New date: Feb 19th)

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

13. IN-CAMERA MATTERS

MO2019.19 Zariski, DeMott moved to go in closed Council meeting at 7:05 PM. Carried unanimously.

13.1 Land Matter – Legal 3099AD Block 19 Lot 15 (FOIPP Section 23 Public Confidences)

MO2019.20 Garbutt, Lacher moved to revert to regular Council meeting at 7:35 PM. Carried unanimously.

14. ADJOURNMENT

There being no further business, Mayor Colberg adjourned the meeting at 7:35 PM.

Chief Administrative Officer

Mayor

**TOWN OF DRUMHELLER
Community Standards
Bylaw Number 07-18**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of prohibiting certain activities in order to prevent and compel abatement of noise, nuisances, unsightly premises, control weeds and public disturbances.

WHEREAS the *Municipal Government Act*, being Chapter M-26 or the revised Statutes of Alberta and amendments thereto, provide that the Council of a municipality may pass bylaws for municipal purposes respecting nuisances, including unsightly property.

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting safety, health and welfare of people and protection of people and property;

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting the remedying of contraventions of bylaws;

WHEREAS the *Traffic Safety Act* authorizes a municipality to pass bylaws with respect to Highways under its direction, control and management and the parking of vehicles on public and private property;

WHEREAS the *Safety Codes Act* authorizes a municipality to pass bylaws respecting the minimum maintenance standards for buildings and structures; and unsightly or derelict buildings or structures;

AND WHEREAS community standards are intended to be reviewed regularly and amended as Council deems appropriate. Council's desire is to influence respect for each other as neighbors and balance enforcement with the livability of neighbors and neighborhoods.

NOW THEREFORE the Council of the Town of Drumheller, in the Province of Alberta, duly assembled, enacts the following:

PART 1 – INTERPRETATION

- 1.1 This Bylaw shall be cited as the "Community Standards Bylaw".
- 1.2 This Bylaw applies to all Premises within the corporate boundaries of the Town of Drumheller.
- 1.3 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.4 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.

- 1.5 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and in force.
- 1.6 Nothing in this Bylaw relieves a Person from complying with any provisions of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 1.7 All of the schedules attached to this Bylaw form a part of this bylaw.

PART 2 – DEFINITIONS

“Appeal” means the appeal of;

- (i) An Order issued pursuant to the Community Standards Bylaw;
- (ii) An Order issued pursuant to Section 545 of the *Municipal Government Act* regarding contraventions of other bylaws or enactments that the Town is authorized to enforce; or
- (iii) An Order issued pursuant to Section 546 of the *Municipal Government Act*

“Appeal Board” shall mean the Community Standards Appeal Board as established by the Community Standards Appeal Bylaw

“Boulevard” means that part of a Highway that is not a roadway.

“Building” means any structure used or intended for supporting or sheltering any use or occupation.

“Building Material” means all construction and demolition material including the packaging material accumulated on Premises arising from the construction, alteration, repair or demolition of any structure and includes, but is not limited to, earth, vegetation or rock displaced during such construction, alteration, repair or demolition;

“Bylaw Violation Tag” is a ticket or summons issued for an allegation of a Bylaw infraction and is issued by a Peace Officer and only enforceable in the Town.

“Chief Administrative Officer” shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the person appointed as Acting Chief Administrative Officer; or designate.

“Council” means the Municipal Council of the Town of Drumheller.

“Court” shall mean any Provincial Court of Alberta.

“Day Time” means the period beginning at 7:00 am and ending at 10:00 pm of the same day, on weekdays; or beginning at 9:00 am and ending at 10:00 pm of the same day, on the weekend.

“Derelict Equipment” means equipment or machinery, which has been rendered inoperative by reason of its disassembly, damage, age or mechanical condition, and includes, but is not limited to, any household appliance stored outside of a residence or other structure.

“Derelict Vehicle” means a vehicle, whether or not in operating condition; or has all or part of its structures removed or dismantled, or is in a dilapidated or unsightly condition.

“Fire Receptacle” includes a permanently affixed outdoor fire place or a portable fire pit where fuel source may be wood, gas or any other combustible substance.

“Good Repair” means a condition where the structure does not exhibit: significant damage, peeling surfaces, broken, missing, or fallen parts, rot or other significant deterioration, openings which are not secured, or other visual evidence of lack of general maintenance.

“Graffiti” means words, figures, letters, drawings, symbols, or stickers applied, scribbled, scratched, etched, sprayed or attached on or to a surface of the premises without permission of the owner and in public view.

“Highway” as stated in the Traffic Safety Act, R.S.A. 2000, c T-6 means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes (i) a sidewalk, including a boulevard adjacent to the sidewalk, (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway.

“Landscaping Standards” as set out in the Town of Drumheller’s Landscaping Policy.

“Land Use Bylaw” means the Town of Drumheller Land Use Bylaw and any amendment to the Land Use Bylaw.

“Lane” shall mean an alley intended primarily for access to the rear of Premises located adjacent to the alley.

“Night Time” means a period beginning at 10:00 pm and ending on the following day at 7:00 am, if the following day is a Week Day or 9:00 am if the following day is a Weekend.

“Noise” means any sound that is reasonably likely to disturb the peace of others.

“Notice” shall mean a notice issued pursuant to this bylaw to remedy a condition that is not in compliance with any provision of this bylaw.

“Nuisance” for the purpose of this bylaw includes any use of or activity upon any premises which is offensive to any person, or has or may have a detrimental impact upon any person or other premises in the neighborhood.

“Occupier” means residing on or to be in possession or control of the Premises.

“Order” means a written order identifying a contravention of this Bylaw and stipulating the actions that the Owner or Occupier shall take to remedy the contravention.

“Owner” of Premises is a Person who is registered under the Land Titles Act as the Owner of the Premises.

“Peace Officer” shall mean a Community Peace Officer, Bylaw Enforcement Officer, Police of Jurisdiction or other person appointed by the Town and who is authorized to enforce Bylaws of the Town of Drumheller.

“Person” shall mean an individual person, a corporation, association, partnership or other recognized legal entity.

“Premises” shall mean any land situated in whole or in part within the Town including the external surface of all buildings and land immediately adjacent to any building or buildings and including any land or buildings owned or leased by the Town.

“Property” shall have the same meaning as Premises.

“*Provincial Offences Procedure Act*” means the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.

“Public Place” means any place within the Town to which the public may have either express or implied access including, but not limited to, areas such as streets, sidewalks, pathways, trails, and any fixture or sculpture located in such area.

“Screened” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites.

“Sidewalk” means that part of the highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a highway between the curb line or, where there is no curb line, the edge of the roadway, and the adjacent property line whether or not it is paved or unpaved.

“Town” means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said municipal corporation.

“Unsightly Premises” means in respect of a Building, includes a Building whose exterior shows signs of significant physical deterioration, and in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep.

“Violation Ticket” means an offence notice issued by means of a Violation Ticket as described in Part 2 of the *Provincial Offences Procedure Act*.

“Waste” as stated in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, Chapter E-12 means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to, rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of and any other thing that is designated as waste in the regulations.

“Waste Collection Cart” means a cart that is supplied by the Town designed to receive Waste then rolled to a collection point and emptied by an automated collection truck.

“Waste Container” means a commercial bin provided by the Occupier specifically marketed to store Waste and excludes containers that are meant for other purposes.

“Weeds” means plants designated as noxious and nuisance weeds as defined in the *Weed Control Act*, RSA 2000 cW-5 and Alberta Regulation 171/2001, as amended or replaced from time to time.

“Week Day” means Monday through Friday, inclusive, for the purpose of this Bylaw, unless it fall on a Holiday.

“Weekend” means Saturday, Sunday and any other Holiday.

“Yard Waste” shall mean any waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities including grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

PART 3 – CARE OF PREMISES

UNSIGHTLY PREMISES

3.01 No Owner or Occupier of Premises shall allow their Premises to be in unsightly condition.

ACCUMULATION OF MATERIALS

3.02 No Owner or Occupier of Premises shall allow on the Premises, the accumulation of: any material that creates unpleasant odors; any material likely to attract pests; or animal remains, parts of animal remains, or animal feces.

3.03 No Owner or Occupier of Premises shall allow the open or exposed storage on the Premises of any quantities of industrial fluid, including engine oil, brake fluid or antifreeze.

3.04 No Owner or Occupier of Premises shall allow the following to accumulate on the Premises such that the accumulation is visible to a Person viewing from outside the Premises; loose garbage; bottles, cans, boxes or packaging materials; and household furniture or other household goods.

3.05 No Owner or Occupier of Premises shall allow the accumulation of automobile parts, abandoned vehicles, or Derelict Vehicles to remain or to be parked on Premises, unless it is suitably housed or Screened to the satisfaction of the Chief Administrative Officer.

3.06 No Owner or Occupier of Premises shall allow any Derelict Equipment to remain on the Premises without first ensuring that the hinges, latches, lids or doors of the unit have been removed and is not visible to a Person viewing from outside the Premises.

3.07 No Owner or Occupier of Premises shall allow the accumulation of Building Material, whether new or used, unless that owner or occupier can establish that a construction or renovation is being carried out on the Premises and the materials relate to the project taking place and are stacked or stored in a an orderly manner. Materials are to be properly screened from viewing.

WASTE COLLECTION

3.08 No Owner or Occupier of Premises shall allow commercial or residential Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Collection Carts. Do not overfill the container beyond its normal, lid closed capacity. Waste Collection Carts shall be returned to the Premises from the collection point by the end of collection day.

3.09 No Owner or Occupier of Premises shall allow commercial Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Containers. Do not overfill the container beyond its normal, lid closed capacity. All Waste Containers shall be screened at the discretion of the Chief Administrative Officer.

3.10 No Owner of Occupier shall allow any renovation material to escape a rented industrial Waste Container while the container is on their Premises.

GRASS, TREES & WEEDS

3.11 No Owner or Occupier of Premises shall allow grass or grasses on the Premises to exceed a height of 20 centimeters including any boulevard that lies directly between the boundary of parcel of land and an adjacent highway, road or alley.

This Section shall not apply to:

- (i) Golf courses; or
- (ii) Parks and natural area under the direction and control of Town of Drumheller; or
- (iii) Areas under the direction and control of Town of Drumheller Roads including boulevards adjacent to major roadways.

3.12 No Owner or Occupier of Premises shall allow tree branches, shrubs or other type of vegetation on the Premises to overhang onto neighboring Premises, obstruct the sidewalk, interfere with any public work or utility, and impair the visibility required for safe traffic flow at any intersection adjacent to the land. The Owner or Occupier of Premises shall remove all dead branches and trees from the Premises.

3.13 No Owner or Occupier of Premises shall permit any violation of *The Weed Control Act*, R.S.A. 2008, c W-5.1 on the Premises.

NUISANCES ESCAPING PREMISES

3.14 No Owner or Occupier of Premises shall allow a thing or activity to annoy or disturb a Person or otherwise constitute a Nuisance. A Nuisance is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.

(a) In making a determination with respect to an offence under this Section a Court may take into consideration any or all of the following factors:

- (i) the frequency of the activity;
- (ii) the intensity and duration of the activity;
- (iii) the time of day or season;
- (iv) the nature of the surrounding area;
- (v) the effect of the thing or activity on a complainant or complainants; and
- (vi) the effect of the thing or activity on the surrounding area.

3.15 No Owner or Occupier of Premises shall allow a flow of water from a hose, eavestrough or downspout or similar device on the Premises to be directed towards an adjacent Premises if it is likely the water from the device will enter the adjacent Premises. The flow shall be directed onto the Owner or Occupier's Premises.

3.16 No Owner or Occupier of Premises shall allow a flow of water from a hose or similar device, rain water, downspout or eavestrough to be directed over a public sidewalk.

3.17 A person shall not engage in any activity that is likely to allow smoke, dust or other airborne matter that may disturb any other Person to escape the Premises without taking reasonable precautions to ensure that the smoke, dust or other airborne matter does not escape the Premises.

3.18 No Owner or Occupier of Premises shall allow an outdoor light to shine directly into adjacent Premises.

3.19 An Owner or Occupier of Premises shall ensure that articles such as papers, flyers and loose debris are collected and contained on the Premises so that they do not escape onto adjacent or other neighboring Premises.

3.20 No Person shall place or permit to be placed, any snow, ice, dirt, leaves, debris or other material from their Premises onto a Highway or other Town land.

MAINTENANCE OF BUILDINGS AND FENCES

3.21 No Owner or Occupier of Premises shall allow a Building or fence to become a safety hazard.

3.22 Every Owner or Occupier of Premises shall ensure the following are maintained in Good Repair:

- (i) Fences and their structural members;
- (ii) Buildings and their structural members, including:
 - 1. Foundations and foundation walls;
 - 2. Exterior walls and their components;
 - 3. Roofs;
 - 4. Windows and their casings;
 - 5. Doors and their frames;
- (iii) Protective or decorative finishes of all exterior surfaces of a Building or fence; and
- (iv) Exterior stairs, landings, porches, balconies and decks.

3.23 If a Building has a broken window or door opening it shall be repaired within a reasonable time period. The damaged area shall be covered with a solid piece of wood or other suitable material to prevent unauthorized access to the Building. The material shall be installed subject to the satisfaction of the Development Authority and shall be:

- (i) installed from the exterior and fitted within the frame of the opening in a watertight manner;
- (ii) of a thickness sufficient to prevent unauthorized entry into the Building;
- (iii) secured in a manner sufficient to prevent unauthorized entry into the Building; and
- (iv) complimentary to the exterior of the Building.

SIGNAGE

3.24 Placement of standardized business signs on Town roads will be allowed conditional upon;

- (i) Sign be a standardized sign as approved by Alberta Transportation and/or the Town.
- (ii) Applicant provides the standardized sign at their expense and commits to ongoing sign maintenance/replacement to the satisfaction of the Town. The applicant is responsible to install or remove sign if required.
- (iii) Installation of the sign will be in compliance with the intent of safety requirements per Land Use Bylaw regarding intersections.
- (iv) A maximum of two signs (one from each direction of travel).
- (v) Where a business has ceased operations, all signage shall be removed within four (4) weeks, failing which the Town will remove sign at the cost of the Owner or Occupier of the Premises in which the business previously operated.
- (vi) No posters shall be affixed to any municipal infrastructure for more than 24 hours without approval by the Town.

FIRE ON PREMISES

3.25 Except for a fire which is in compliance with the Fire Department Bylaw, no Person shall ignite or allow to be ignited a fire in a Fire Receptacle that does not comply with the requirements of this Bylaw.

3.26 A fire in a Fire Receptacle shall be supervised at all times.

3.27 No Person shall burn, at any time, on any Premises, the following materials:

- (i) treated or painted lumber;
- (ii) lumber products containing glue or resin;
- (iii) wet or unseasoned wood;
- (iv) leaves, brush or yard waste;
- (v) garbage;
- (vi) rubber, tires or plastic; or
- (vii) any animal carcass or part thereof.

3.28 No Person shall ignite or allow a fire to burn on a Premises between one o'clock a.m. (1:00 a.m.) and ten o'clock a.m. (10:00 a.m.).

GRAFFITI PREVENTION AND ABATEMENT

3.29 No Person or Owner shall place Graffiti or cause it to be placed on any Premises.

3.30 An Owner or Occupier of Premises shall, within 5 days of a Notice issued by a Peace Officer, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view.

EXCAVATIONS AND PONDING WATER

3.31 No Owner or Occupier of Premises shall allow an excavation, drain, ditch or other depression in the ground to become or remain a danger to public safety.

3.32 If, in the opinion of a Peace Officer, a water-course, pond or other surface of water becomes or remains a Nuisance or poses a danger to public safety, a Peace Officer may declare the water-course, pond or other surface water a Nuisance and require the Owner or Occupier of the Premises to eliminate the Nuisance or danger.

ADDRESSING

3.33 The Owner or Occupier of Premises on which a Building has been erected shall display the number assigned to the Premises at a location plainly visible from the street in front of the Premises.

3.34 The Owner or Occupier of Premises on which a Building has been erected that has access to a Lane shall display the number assigned to the Premises at a location plainly visible from the Lane.

LITTERING

3.35 No Person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Premises, including any street, lane, sidewalk, parking lot, park, public transportation vehicle, or other public place or water course any Waste material.

PROHIBITED NOISE

3.36 A Person shall not cause or permit any Noise that annoys or disturbs the peace of any other Person.

3.37 A Person shall not permit Premises they own or occupy to be used so that Noise from the Premises annoys or disturbs the peace of any other Person.

3.38 In determining what constitutes noise likely to annoy or disturb the peace of others, the following criteria may be considered:

- (i) type, volume, and duration of the sound;
- (ii) time of day and day of week;
- (iii) nature and use of the surrounding area;
- (iv) any other relevant factor.

3.39 No Person shall operate a hand or power lawn mower, leaf blower, snow removal device or other device creating a noise or disturbance which may be heard in a residential building between the hours of 10:00 pm and 7:00 am on a Week Day and

from 10:00 pm to 9:00 am on a Weekend.

3.40 No Person shall operate sound amplifying equipment from any Premises, park or other public space that may disturb residents of the Town.

3.41 A Person who owns, keeps, houses, harbours, or allows to stay on Premises an animal which by reason of barking, or howling, disturbs Persons in the vicinity of Premises is guilty of an offence under this bylaw.

3.42 No drinking establishment shall permit any noise to emanate from the premises of such drinking establishment such that it annoys or disturbs any other person outside the boundary of the drinking establishment.

3.43 In the operation or carrying on of an industrial or construction 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.

3.44 A Person who owns, occupies or controls a truck-tractor or tractor-trailer must not at any time allow it to remain running for longer than 20 minutes when it is stationary in a residential district or within 150 meters of a residential development.

3.45 Permits

(i) A Person may make a written application to the Chief Administrative Officer for a temporary permit allowing for noise or sound levels that would otherwise violate this Bylaw.

(ii) Any application must be made at least 5 business days prior to the proposed activity and must contain sufficient information pertaining to the activity for which the exemption is sought.

(iii) Upon receipt of an application, the Chief Administrative Officer may issue the temporary permit, where the Chief Administrative Officer determines those circumstances make it impractical for the applicant to comply with this Bylaw; impose any conditions on the issuance or use of the permit that the Chief Administrative Officer considers appropriate; refuse to issue a permit; or revoke the temporary permit that has been issued, where the Chief Administrative Officer determines that the applicant has not taken sufficient measures to minimize the noise or sound levels.

3.46 Exemptions

(i) A Person may operate a snow clearing device powered by an engine for the purpose of clearing snow from Highways, school, commercial or industrial sites located adjacent to or within residential districts if it is in the best interest of the public and their safety and at a time when there will be minimal vehicular and/or pedestrian traffic that may obstruct such snow removal operations.

PART 4 – POWERS OF PEACE OFFICERS

INSPECTIONS

4.01 A Peace Officer and Chief Administrative Officer are hereby authorized in accordance with Section 542 of the Municipal Government Act to enter any Premises after giving reasonable notice to the Owner or Occupier of the Premises to be inspected; and to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw upon having reasonable and probable grounds.

4.02 If a Peace Officer considers any Premises to be in contravention of any section of this Bylaw, the Peace Officer may issue a verbal or written Order to the Owner or Occupier to remedy any condition(s) of the subject Premises that have been found to be in contravention of this Bylaw.

4.03 If a Person

- (a) Refuses to allow or interferes with the entry, inspection, enforcement or action referred to in Sections 4.01 or 4.02, or
- (b) Refuses to produce anything to asset in the inspection, remedy, enforcement or action referred to in Sections 4.01 or 4.02, the municipality may apply to the Court of Queen’s Bench for an Order under Section 543(2) of the Municipal Government Act.

ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET

4.04 A Peace Officer is authorized to issue a Bylaw Violation Tag to any Person that the Peace Officer believes on reasonable and probable grounds has contravened any provision of this Bylaw.

- (a) Notwithstanding any other provision of this Bylaw a Peace Officer is authorized to immediately issue a Province of Alberta Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- (b) A Bylaw Violation Tag may be issued to a Person personally, or by mailing a copy to the person at his or her last known address.
- (c) Nothing in this Bylaw shall prevent a Peace Officer from issuing a Bylaw Violation Tag or Provincial Violation Ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.
- (d) If the penalty specified on the Bylaw Violation Tag served to a Person is not paid within a prescribed time period then a Peace Officer is authorized to issue a Provincial Violation Ticket pursuant to the *Provincial Offences Procedures Act*.

ORDERS BY PEACE OFFICER

4.05 Where Premises are found to be in violation of any provisions of this Bylaw, the Peace Officer may in accordance with Section 545 of the *F* issue a written Order to the

Owner or Occupier of the Premises to remedy the condition on the Premises which violates this Bylaw.

- 4.06 An Order written pursuant to Section 4.05 may:
- (a) Direct a Person to stop doing something, or to change the way in which the person is doing it;
 - (b) Direct a Person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a Building that has been erected or placed in contravention of a bylaw, and if necessary, to prevent a re-occurrence of the contravention;
 - (c) State a time within which the Person must comply with the directions;
 - (d) State that if the Person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.
- 4.07 Without limiting the powers under Section 4.05 and 4.06, an order written pursuant to Section 4.05 may:
- (a) Require the owner of a Building in disrepair to eliminate the danger to the public safety in the matter specified, or remove and demolish the Building and level the site;
 - (b) Require the Owner of the Premises that contains the excavation or hole to eliminate the danger to public safety in the manner specified, or fill in the excavation or hole and level the site;
 - (c) Require the Owner of Premises that is in an unsightly condition improve the appearance of the Premises in the manner specified, or if the Premises is a Building, remove or demolish the Building and level the site.

SERVICE OF AN ORDER

- 4.08 Service of an Order upon an Owner shall be sufficient if it is:
- (i) Personally served upon the Owner or Occupant;
 - (ii) Only served by mail if the Premises is not occupied by the Owner;
- (a) Left with a competent Person residing with said Owner or Occupier; or
 - (b) Posted to the door of the Premises or in any other conspicuous place on the Premises.
- 4.09 Such Orders shall be deemed to have been received:
- (a) seven (7) days from the date of mailing; or
 - (b) on the day it is left with a competent Person residing with an Owner or Occupier or posted on the Premises.
- 4.10 Each Order shall:
- (a) Describe the Premises by its municipal address and legal description;
 - (b) Identify the date that it is issued;
 - (c) State how the Premises contravenes the provisions of this Bylaw;

- (d) Give reasonable particulars of the extent of the clean-up, removal, clearing or other actions required to be made;
- (e) State the time within which the clean-up, removal, clearing or other actions are to be done;
- (f) State that if the required actions are not done within the time specified, the Town may:
 - (i) Carry out the actions required and charge the cost thereof against the Owner or Occupier; or
 - (ii) Cause a Violation Ticket to be served upon the Owner or Occupier pursuant to Part 2 of the Provincial Offences Procedure Act;

FAILURE TO COMPLY WITH AN ORDER

4.11 When an Owner or Occupier fails to remedy a contravention of this Bylaw within the time allowed in an Order issued under Section 4.09 of this Bylaw, the Town may exercise its powers under s 546.1, 549 or 550 of the *Municipal Government Act* in its discretion, including but not limited to entering upon the Premises to perform or complete the work necessary to remedy the violation of this Bylaw. The costs incurred by the Town to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Person registered under the *Land Titles Act* and will be amounts owing to the Town. If the costs are not paid in the time specified by the Town, the costs may be charged against the property as a special assessment to be recovered in the same manner as other taxes and in accordance with Section 553, 553.1 or 553.2 of the MGA.

4.12 Every Person who fails to comply with a written Order issued pursuant to this section within the time set out in the written Order commits an offence.

4.13 An Owner or Occupier served with an Order may comply with the Order by entering into a written agreement with the Town, for the Town to carry out the actions required by the Order.

4.14 The Chief Administrative Officer may take whatever actions or measures necessary to eliminate any danger to public or deal with unsightly conditions of the Premises in accordance to powers and authority provided to a municipality through the *Municipal Government Act* Section 550. Pursuant to the Section 551 of the *Municipal Government Act*, in an emergency the municipality may take whatever actions or measures are necessary to eliminate the emergency.

REVIEW BY COUNCIL / APPEALS

4.15 A Person who receives a written Order to comply with section 545 of the *Municipal Government Act*, may by written notice within 14 days after the date the Order is received, request Council to review the Order.

4.16 A Person who receives a written Order to comply with section 546 of the *Municipal Government Act*, may by written notice within 7 days after the date the Order is received, request Council to review the Order.

4.17 After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.

4.18 If a Person considers himself aggrieved by a decision under 4.16, he may appeal the decision by originating notice to the Court of Queen's Bench:

(i) in the case of an Appeal of an Order under section 545 of the *Municipal Government Act*, within 30 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision, and,

(ii) in the case of an Appeal of an Order under section 546 of the *Municipal Government Act*, within 15 days after the date the decision under section 547 of the *Municipal Government Act* is served on the person affected by the decision.

4.19 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

GENERAL PENALTY PROVISION

4.20 Any Person who contravenes any provision of this Bylaw is guilty of a summary conviction offence punishable by a fine of not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding six (6) months or both. Mandatory minimum penalties for offences of this Bylaw are listed in Schedule 'A'.

4.21 Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.

4.22 Any Person who is found in contravention of the same section of this Bylaw on more than one occasion will be liable to an increased penalty for that contravention if the Section violated in Schedule 'A' stipulates increased fines for second and third offences.

APPEALS UNDER THE WEED CONTROL ACT

4.23 Community Standards Appeal Board:

- (a) The Community Standards Appeal Board shall constitute the independent committee contemplated by Section 19 of the *Weed Control Act* to hear appeals of orders or notices relating to this Section and the *Weed Control Act*.

- (b) Any appeal filed pursuant to the *Weed Control Act* or this Section shall be heard by the Community Standards Appeal Board within five (5) days of the receipt of the notice of appeal by the Chief Administrative Officer.
- (c) A notice of appeal respecting this Section must be delivered personally or sent by certified or registered mail to the Chief Administrative Officer within 10 days of the issuance of the Order or Notice.
- (d) Pursuant to the *Weed Control Act* and the Regulation, any notice of appeal filed with respect to a notice under this Section or the *Weed Control Act* shall be accompanied by a deposit in the amount of \$500.00, which shall be refunded if the applicant's appeal is successful.

PART 5 - COMMENCEMENTS

This bylaw shall take effect on the date of the 3rd and final reading

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

- 1) Community Standards Bylaw 16-10 and Amendments are hereby repealed.

The Bylaw shall come into force and effect upon final passing.

Read a first time this 3rd day of December, 2018

Read a second time this day of , 2019.

Read a third time this day of , 2019.

Mayor

Chief Administrative Officer

Schedule A

COMMUNITY STANDARDS BYLAW FINES

Accumulation of Offensive Material	3.02	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences		\$ 750.00
Exposed Storage of Harmful Fluids	3.03	\$ 250.00
Accumulation of Material Visible from Off Premises	3.04-3.07	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Derelict Equipment	3.06	\$ 500.00
Waste Infraction	3.08-3.10	\$ 250.00
a) second offence		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Failure to maintain grass	3.11	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Failure to maintain trees and shrubs	3.12	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Failure to destroy weeds	3.13	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Direct water flow to adjoining Premises	3.15	\$ 250.00
Improper direction of downspout	3.16	\$ 500.00
Smoke or dust escaping Premises	3.17	\$ 500.00
Light directed to adjacent Premises	3.18	\$ 300.00
Flyers and Debris escaping premises	3.19	\$ 300.00
Improper disposal of snow, ice, dirt, leaves, debris	3.20	\$ 300.00
Accessory Building or fence safety hazard	3.21	\$ 300.00

Accessory Building or fence unsightly	3.22	\$ 300.00
Dilapidated / damaged Building	3.23	\$ 300.00
Signage Infraction	3.24	\$ 250.00
Prohibited or Non-Compliant Fire	3.25	\$ 500.00
Unsupervised Fire	3.26	\$ 500.00
Burn Prohibited Materials	3.27	\$ 500.00
Fire between 1:00 a.m. and 10:00 a.m.	3.28	\$ 500.00
Placing Graffiti on Premises	3.29-3.30	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Hazardous excavation, drain, ditch or depression	3.31	\$ 300.00
Improper address or failure to address the front of premises facing street	3.33	\$ 300.00
Improper address or failure to address the rear of premises adjacent to lane	3.34	\$ 300.00
Depositing litter on Public Place	3.35	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) third and subsequent offences within same calendar year		\$ 750.00
Prohibited Noise	3.36-3.44	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) Third and subsequent offences within same calendar year		\$ 750.00
Failure to Comply with a Notice or an Order	4.11	\$ 500.00

*The fine for the first offence may be waived if the offender successfully completes Community Service Hours as directed by the Town.

Town of Drumheller

BYLAW NUMBER 03.19

BEING A BYLAW TO AMEND LAND USE BYLAW 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Land Use Bylaw No. 10-08;

AND WHEREAS the Council deems it desirable to amend Land Use Bylaw 10-08; and

NOW THEREFORE the Council hereby amends Land Use Bylaw 10-08 as follows:

In Schedule A, Land Use Districts Map, redesignate SW 11-29-W4, Plan 3587, Block 47, Lot A in the Town of Drumheller, from CS (Community Services District) District to R-4 (Residential) District as shown on the plan below:



AGENDA ITEM #6.1.2.

READ A FIRST TIME THIS _____ DAY OF _____, 2019

READ A SECOND TIME THIS ___th DAY OF _____, 2019.

READ A THIRD TIME AND PASSED THIS ___th DAY OF _____, 2019.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**TOWN OF DRUMHELLER
Tourism Corridor Property Standards
Bylaw Number 04.19**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of establishing property standards along Drumheller's Tourism Corridor.

WHEREAS the Town of Drumheller is considered to be a major tourist destination and as Council values the designation of the Town as a tourist destination and as Council recognizes that in order to maintain the designation of tourist destination a higher standard of property maintenance is required along the tourism corridors to make them attractive to citizens and visitors.

WHEREAS the *Municipal Government Act*, being Chapter M-26 or the revised Statutes of Alberta and amendments thereto, provide that the Council of a municipality may pass bylaws for municipal purposes respecting nuisances, including unsightly property for industrial, commercial and residential within the Tourism Corridor .

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting businesses, business activities and Persons engaged in business;

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting the remedying of contraventions of bylaws;

WHEREAS the *Traffic Safety Act* authorizes a municipality to pass bylaws with respect to Highways under its direction including the maintenance of boulevards;

WHEREAS the *Safety Codes Act* authorizes a municipality to pass bylaws respecting the minimum maintenance standards for buildings; and unsightly or derelict buildings;

AND WHEREAS property standards are intended to be reviewed regularly and amended as Council deems appropriate;

NOW THEREFORE the Council of the Town of Drumheller, in the Province of Alberta, duly assembled, enact the following:

PART 1 – INTERPRETATION

- 1.1 This Bylaw shall be cited as the "Tourism Corridor Bylaw".
- 1.2 This Bylaw applies to all Premises within the corporate boundaries of the Town of Drumheller that are situated along the Tourism Corridor as identified in Schedule A - Priority Area #1 and Priority Area #2. Unless otherwise stated, all Premises within the Priority Area #2 must adhere to the Community Standards Bylaw 07.18.

- 1.3 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.4 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.
- 1.5 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and in force.
- 1.6 Nothing in this Bylaw relieves a Person from complying with any provisions of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, Order or license.
- 1.7 All of the schedules attached to this Bylaw form a part of this bylaw.
- 1.8 If there is a conflict between a provision in this Bylaw and a provision of any other Municipal Bylaw, the provision that establishes the highest standard shall apply for those Premises within the Tourism Corridor.

PART 2 – DEFINITIONS

“Appeal” means the appeal of;

- (i) An Order issued pursuant to the Tourism Corridor Bylaw;
- (ii) An Order issued pursuant to Section 545 of the *Municipal Government Act* regarding contraventions of other bylaws or enactments that the Town is authorized to enforce; or
- (ii) A Order issued pursuant to Section 546 of the *Municipal Government Act*;

“Appeal Board” shall mean the Community Standards Appeal Board as established by the Community Standards Appeal Bylaw.

“Boulevard” means that part of a Highway that is not a roadway.

“Business” as stated in the *Municipal Government Act* Section 1(a.1) means a commercial, merchandising or industrial activity or undertaking; a profession, trade occupation, calling or employment; or an activity providing goods or services.

“Bylaw Violation Tag” means a ticket or summons issued for an allegation of a Bylaw infraction and is issued by a Peace Officer and only enforceable in the Town.

“Chief Administrative Officer” shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the Person appointed as Acting Chief Administrative Officer; or designate.

“Council” means the Municipal Council of the Town of Drumheller.

“Court” shall mean any Provincial Court of Alberta.

“Highway” as stated in the Traffic Safety Act, R.S.A. 2000, c T-6 means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for passage or parking of vehicles and includes:

- (i) a sidewalk, including a boulevard adjacent to the sidewalk;
- (ii) if a ditch lies adjacent to an parallel with the roadway, the ditch, and
- (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,

but does not include a place declared by regulation not to be a highway.

“Landscaping Standards” as set out in the Town of Drumheller’s Landscaping Policy.

“Land Use Bylaw” means the Town of Drumheller Land Use bylaw and any amendment to the Land Use Bylaw.

“Lane” shall mean an alley intended primarily for access to the rear of Premises located adjacent to the alley;

“Notice” shall mean a notice issued pursuant to this bylaw to remedy a condition that is not in compliance with any provision of this bylaw.

“Nuisance” for the purpose of this bylaw includes any use of or activity upon any Premises which is offensive to any Person, or has or may have a detrimental impact upon any Person or other Premises in the neighborhood.

“Occupier” is a person in possession or control of the Premises.

“Order” means a written order identifying a contravention of this Bylaw and stipulating the actions that the Owner or Occupier shall take to remedy the contravention;

“Owner” of the Premises is a Person who is registered under the *Land Titles Act* as the Owner of the Premises;

“Peace Officer” shall mean a Community Peace Officer, Bylaw Enforcement Officer, Police of Jurisdiction or other Person appointed by the Town and who is authorized to enforce Bylaws of the Town of Drumheller.

“Person” shall mean an individual person, corporation, association, partnership or other recognized legal entity.

“Premises” shall mean any land situated in whole or in part within the Town including the external surface of all buildings and land immediately adjacent to any building or buildings and including any land or buildings owned or leased by the Town.

“Property” shall have the same meaning as Premises.

“*Provincial Offences Procedure Act*” means the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.

“Tourism Corridor” as identified on the attached Schedule A with Priority 1 and Priority 2 areas located within the Town of Drumheller corporate limits, as the context requires.

“Town” means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said Municipal Corporation.

“Violation Ticket” means an offence notice issued by means of a Violation Ticket as described in Part 2 of the *Provincial Offences Procedure Act*.

PART 3 – CARE OF PREMISES

UNSIGHTLY PREMISES / ACCUMULATION OF BUILDING MATERIAL / DERELICT EQUIPMENT

3.01 Interpretation for the purpose of this section

- (a) “Unightly Premises” means in respect of a building, includes a building whose exterior shows signs of significant physical deterioration, and in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep.
- (b) “Building Material” means all construction and demolition material including the packaging material accumulated on Premises arising from the construction, alteration, repair or demolition of any structure and includes, but is not limited to, earth, vegetation or rock displaced during such construction, alteration, repair or demolition;
- (c) “Derelict Equipment” means equipment or machinery, which has been rendered inoperative by reason of its disassembly, damage, age or mechanical condition, and includes, but is not limited to, any household appliance stored outside of a residence or other structure.

3.02 The Owner or Occupier of the Premises, including any parking area, shall not cause, allow or permit their Premises to become or to continue to be an Unightly Premises or become detrimental to the surrounding area. Unightly Premises will be given a Remedy Order with a compliance date within a two (2) week period.

- 3.03 The Owner or Occupier of the Premises shall remove any Building Material not being used for business operations from the Premises including but not limited to concrete blocks, wood, metal, and Derelict Equipment.
- 3.04 The Owner or Occupier of the Premises must keep the Premises, including that portion of the Lane and street adjacent to the Premises, free from the accumulation of Building Material to the point where an unsightly condition develops.
- 3.05 The provisions of this Bylaw shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, construction, demolition, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to the Premises, provided all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the Premises.

WASTE COLLECTION

- 3.06 Interpretation for the purpose of this section:
- (a) "Waste" as stated in the Environmental Protection and Enhancement Act, R.S.A. 2000, Chapter E-12 means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to, rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of an any other thing that is designated as waste in the regulations.
 - (b) "Waste Collection Cart" means a cart that is supplied by the Town designed to receive Waste then rolled to a collection point and emptied by an automated collection truck.
 - (c) "Waste Container" means a commercial bin provided by the Occupier specifically marketed to store Waste and excludes containers that are meant for other purposes:
 - (d) "Screened" means a fence, wall, berm, hedge or other barrier providing visual and / or acoustic separation of sites.
- 3.07 No Owner or Occupier of the Premises shall allow residential Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Collection Cart. The Owner or Occupier of the Premises shall remove the Waste Collection Cart from the collection point by the end of the collection day, or sooner if possible.
- 3.08 No Owner or Occupier of the Premises shall allow commercial Waste to be stored in such a manner that allows any material to be blown, spilled or otherwise dispersed from the Waste Container. No Owner or Occupier is permitted to overfill the Waste Receptacle beyond its normal, lid closed capacity. All Waste Containers must be Screened

GRASS, TREES AND WEEDS

3.09 Interpretation for the purpose of this section:

(a) "Weeds" means plants designated as noxious and nuisance weeds as defined in the *Weed Control Act*, RSA 2000 cW-5 and Alberta Regulation 171/2001, as amended or replaced from time to time.

(b) "Yard Waste" shall mean any waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities including grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

3.10 For Priority Area #1, between Victoria Day to Labour Day each year, the Owner or Occupier of the Premises shall mow the grass and weeds and maintain at a height not exceeding 15 centimeters.

3.11 The Owner or Occupier of the Premises shall remove all dead branches and trees, shrub, and other types of vegetation that has any rot or deterioration. Within seven (7) days of receiving a Remedy Order, trees, branches, shrubs and all vegetation showing signs of rot or deterioration shall be removed.

3.12 The Owner or Occupier of the Premises shall remove all Yard Waste on the Premises and on any boulevard which abuts or adjoins the property, including up to the center of lanes or alleys at the rear or side of the property prior to Victoria Day.

3.13 Planting of all Boulevard trees shall be carried out by the Town or its agents. An Owner may plant a Boulevard tree but only with written permission of the Town. The selection of Boulevard tree types shall be at the discretion of the Town.

3.14 All trees on Town Premises are the property of the Town and the maintenance of such trees is the responsibility of the Town. No Person shall destroy or damage any trees, shrubs, plants, flowers or damage the lawn on any boulevard, public park or public garden in the Town. No Person other than a duly authorized employee or agent of the Town shall prune, repair, clip or perform any other work on any boulevard tree. The Owner or Occupier of the Premises adjacent to the boulevard tree, may, at the sole discretion of the Town, be authorized to perform work on the Boulevard tree to the satisfaction of the Town.

3.15 The Town of Drumheller has established landscaping standards to be adhered to by residential, commercial and industrial developers. Landscaped areas must comply with the requirements of the Town's Landscaping Policy. If the Owner has not complied with the condition as outlined in the Notice of Decision following the construction of a new residential, commercial and industrial building, the Town will undertake the work and all costs associated with the landscaping requirements will be applied against the taxes.

REPAIR AND MAINTENANCE OF BUILDINGS AND FENCES**3.16 Interpretation for the purpose of this Section:**

- (a) "Good Repair" means a condition where a fence or building does not exhibit:
 - (i) significant damage,
 - (ii) peeling surfaces,
 - (iii) broken, missing, or fallen parts,
 - (iv) rot or other significant deterioration,
 - (v) openings which are not secured or
 - (vi) other visual evidence of a lack of general maintenance.
- (b) "Building" means any structure used or intended for supporting or sheltering any use or occupation;
- (c) "Screened" means a fence, wall, berm, hedge or other barrier providing visual and / or acoustic separation of sites.

3.17 By May 1st annually, every Owner or Occupier of the Premises shall ensure the following are maintained in Good Repair and shall obtain the required permits under the Land Use Bylaw for its repair:

- (i) Fences;
- (ii) Building - Exterior walls and their components including doors and windows.

3.18 If a Building has any door or window opening in disrepair the Owner or Occupier shall repair the damage within seven (7) days to the satisfaction of the Development Officer.**3.19 No Owner or Occupier shall use plywood to board up windows and doors for more than a seven (7) day period.****3.20 Where any building is unoccupied, the Owner shall ensure that appropriate window displays are visible including but not limited to art work, posters, or other displays that meets the satisfaction of the Town from Victoria Day to Labour Day annually.****3.21 Fences on construction sites shall be Screened so that the site is not readily visible to the public. Screens shall be aesthetically pleasing and may not contain advertising except to identify the Premises being constructed.****GRAFFITI ABATEMENT****3.22 For the purposes of this Section, "Graffiti" means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to a surface without permission of the owner and in public view.**

- 3.23 For Priority Areas #1 and #2, every Owner or Occupier of the Premises shall, within two (2) business days of being notified by a Peace Officer, ensure that Graffiti placed on their Premises is removed, painted over, or otherwise permanently blocked from public view.

SIGNAGE

- 3.24 For Priority Areas #1 and #2, installation of any sign must be in compliance with the intent of the Town of Drumheller Land Use Bylaw and every Person shall apply for and obtain a development permit.
- (i) Every Person shall apply for and obtain a building permit before constructing, repairing, erecting, allowing, installing, placing, moving, rebuilding, reconstructing or altering a sign;
 - (ii) A permit is not required for changing or repairing the lettering of a sign or the internal equipment of the sign.
- 3.25 Placement of standardized business signs on Town roads will be allowed conditional upon;
- (i) the sign be a standardized sign as approved by Alberta Transportation;
 - (ii) the applicant provides the standardized sign at their expense and commit to ongoing sign maintenance/replacement to the satisfaction of Town of Drumheller. The applicant is responsible to install or remove sign if required.
 - (iii) A maximum of two sign (one from each direction of travel).
- 3.26 If a business has ceased operations the sign must be removed within a two (2) week period following the date of closure or the Town will have the sign removed and the costs incurred for the removal of the sign will be the responsibility of the Owner.
- 3.27 If a business does not install a sign in accordance with the Land Use Bylaw, the Owner, once notified by the Town, will have two (2) weeks to be in compliance with any approved plans, drawings, and specifications.
- 3.28 The Owner shall maintain, or ensure that the sign is maintained in a proper state of repair and if not, the Owner will have a period of two (2) weeks in which to comply with a Remedial Order.

LITTERING

- 3.29 The Owner or Occupier of a business which offers for sale food, refreshments or tobacco products shall ensure that the Premises, including the building, land and all adjoining public property is kept free of discarded cartons, containers, papers or other garbage originating from the business by collecting and disposing of garbage found in that area each day that the business is open for business.

- 3.30 No Owner or Occupier of a Premises shall sweep or place dirt or litter on the road or on the sidewalk.

PART 4 – POWERS OF PEACE OFFICERS

INSPECTIONS

- 4.01 A Peace Officer and Chief Administrative Officer are hereby authorized in accordance with Section 542 of the *Municipal Government Act* to enter any Premises after giving reasonable notice to the Owner or Occupier of the Premises to be inspected; and to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw upon having reasonable and probable grounds.
- 4.02 If a Peace Officer considers any Premises to be in contravention of any section of this Bylaw, the Peace Officer may issue a verbal or written Order to the Owner or Occupier to remedy any condition(s) of the subject Premises that have been found to be in contravention of this Bylaw.
- 4.03 If a Person
- (a) Refuses to allow or interferes with the entry, inspection, enforcement or action referred to in Sections 4.01 or 4.02, or
 - (b) Refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in Sections 4.01 or 4.02, the municipality may apply to the Court of Queen's Bench for an Order under Section 543(2) of the *Municipal Government Act*.

ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET

- 4.04 A Peace Officer is authorized to issue a Bylaw Violation Tag to any Person that the Peace Officer believes on reasonable and probable grounds has contravened any provision of this Bylaw.
- a) Notwithstanding any other provision of this Bylaw a Peace Officer is authorized to immediately issue a Province of Alberta Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
 - b) A Bylaw Violation Tag may be issued to a Person Personally, or by mailing a copy to the Person at his or her last known address.
 - c) Nothing in this Bylaw shall prevent a Peace Officer from issuing a Bylaw Violation Tag or Provincial Violation Ticket for the mandatory court appearance of any Person who contravenes any provision of this Bylaw.
 - d) If the penalty specified on the Bylaw Violation Tag served to a Person is not paid within a prescribed time period then a Peace Officer is authorized to issue a Provincial Violation Ticket pursuant to the *Provincial Offences Procedures Act*.

ORDERS BY PEACE OFFICER

- 4.05 Where Premises are found to be in violation of any provisions of this Bylaw, the Peace Officer may in accordance with Section 545 of the *Municipal Government Act* issue a written Order to the Owner or Occupier of the Premises to remedy the condition on the Premises which violates this Bylaw.
- 4.06 An Order written pursuant to Section 4.05 may:
- (a) Direct a Person to stop doing something, or to change the way in which the Person is doing it;
 - (b) Direct a Person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a building that has been erected or placed in contravention of a bylaw, and if necessary, to prevent a reoccurrence of the contravention;
 - (c) State a time within which the Person must comply with the directions;
 - (d) State that if the Person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the Person.
- 4.07 Without limiting the powers under Section 4.05 and 4.06, an Order written pursuant to Section 4.05 may:
- (a) Require the owner of a Building in disrepair to eliminate the danger to the public safety in the matter specified, or remove and demolish the Building and level the site;
 - (b) Require the Owner of the Premises that contains the excavation or hole to eliminate the danger to public safety in the manner specified, or fill in the excavation or hole and level the site;
 - (c) Require the Owner of Premises that is in an unsightly condition improve the appearance of the Premises in the manner specified, or if the Premises is a Building, remove or demolish the Building and level the site.

SERVICE OF AN ORDER

- 4.08 Service of an Order upon an Owner shall be sufficient if it is:
- (i) Personally served upon the Owner or Occupier;
 - (ii) Only served by mail if the Premises is not occupied by the Owner;
- (a) Left with a competent Person residing with said Owner or Occupier; or
 - (b) Posted to the door of the Premises or in any other conspicuous place on the Premises.
- 4.09 Such Order shall be deemed to have been received:
- (a) seven (7) days from the date of mailing; or
 - (b) on the day it is left with a competent Person residing with an Owner or Occupier or posted on the Premises.
- 4.10 Each Order shall:
- (a) Describe the Premises by its municipal address and legal description;

- (b) Identify the date that it is issued;
- (c) State how the Premises contravenes the provisions of this By-law;
- (d) Give reasonable particulars of the extent of the clean-up, removal, clearing or other actions required to be made;
- (e) State the time within which the clean-up, removal, clearing or other actions are to be done;
- (f) State that if the required actions are not done within the time specified, the Town may:
 - (i) Carry out the actions required and charge the cost thereof against the Owner or Occupier; or
 - (ii) Cause a Violation Ticket to be served upon the Owner or Occupier pursuant to Part 2 of the *Provincial Offences Procedure Act*;

FAILURE TO COMPLY WITH AN ORDER

- 4.11 When an Owner or Occupier fails to remedy a contravention of this Bylaw within the time allowed in an Order issued under Section 4.09 of this Bylaw, the Town may exercise its powers under s 546.1, 549 or 550 of the Municipal Government Act in its discretion, including but not limited to entering upon the Premises to perform or complete the work necessary to remedy the violation of this Bylaw. The costs incurred by the Town to remedy the violation, as well as any applicable fines under this Bylaw, will be billed to the Person registered under the *Land Titles Act* and will be amounts owing to the Town. If the costs are not paid in the time specified by the Town, the costs may be charged against the property as a special assessment to be recovered in the same manner as other taxes and in accordance with Section 553, 553.1 or 553.2 of the MGA.
- 4.12 Every Person who fails to comply with a written Order issued pursuant to this section within the time set out in the written Order commits an offence.
- 4.13 An Owner or Occupier served with an Order may comply with the Order by entering into a written agreement with the Town, for the Town to carry out the actions required by the Order.
- 4.14 The Chief Administrative Officer may take whatever actions or measures necessary to eliminate any danger to public or deal with unsightly conditions of the Premises in accordance to powers and authority provided to a municipality through the *Municipal Government Act* Section 550. Pursuant to the Section 551 of the *Municipal Government Act*, in an emergency the municipality may take whatever actions or measures are necessary to eliminate the emergency.

REVIEW BY COUNCIL

- 4.15 A Person who receives a written Order to comply with section 545 of the *Municipal Government Act* may by written notice within fourteen (14) days after the date the Order is received, request Council to review the Order.
- 4.16 A Person who receives a written Order to comply with section 546 of the *Municipal Government Act* may by written notice within seven (7) days after the date the Order is received, request Council to review the Order.
- 4.17 After reviewing the Order, Council may confirm, vary, substitute or cancel the Order.
- 4.18 If a Person considers himself aggrieved by a decision under 4.16, he may appeal the decision by originating notice to the Court of Queen's Bench:
- i) in the case of an Appeal of an Order under section 545 of the *Municipal Government Act*, within thirty (30) days after the date the decision under section 547 of the *Municipal Government Act* is served on the Person affected by the decision, and,
 - ii) in the case of an Appeal of an Order under section 546 of the *Municipal Government Act*, within fifteen (15) days after the date the decision under section 547 of the *Municipal Government Act* is served on the Person affected by the decision.
- 4.19 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

GENERAL PENALTY PROVISION

- 4.21 Any Person who contravenes any provision of this Bylaw is guilty of a summary conviction offence punishable by a fine of not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding six (6) months or both. Mandatory minimum penalties for offences of this Bylaw are listed in Schedule 'B'.
- 4.22 Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.
- 4.23 Any Person who is found in contravention of the same section of this Bylaw on more than one occasion will be liable to an increased penalty for that contravention if the Section violated in Schedule 'B' stipulates increased fines for second and third offences.

APPEALS UNDER THE WEED CONTROL ACT

4.24 Community Standards Appeal Board:

- (a) Shall constitute the independent committee contemplated by Section 19 of the *Weed Control Act* to hear appeals of orders or notices relating to this Section and the *Weed Control Act*.
- (b) Any appeal filed pursuant to the *Weed Control Act* or this Section shall be heard by the Community Standards Appeal Board within five (5) days of the receipt of the notice of appeal by the Chief Administrative Officer.
- (c) A notice of appeal respecting this Section must be delivered personally or sent by certified or registered mail to the Chief Administrative Officer within ten (10) days of the issuance of the Order or Notice.
- (d) Pursuant to the *Weed Control Act* and the Regulation, any notice of appeal filed with respect to a notice under this Section or the *Weed Control Act* shall be accompanied by a deposit in the amount of \$500.00, which shall be refunded if the applicant's appeal is successful.

PART 5 - COMMENCEMENTS

This bylaw shall take effect on the date of the 3rd and final reading

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

The Bylaw shall come into force and effect upon final passing.

Read a first time this day of _____, 2019

Read a second time this day of _____, 2019.

Read a third time this day of _____, 2019.

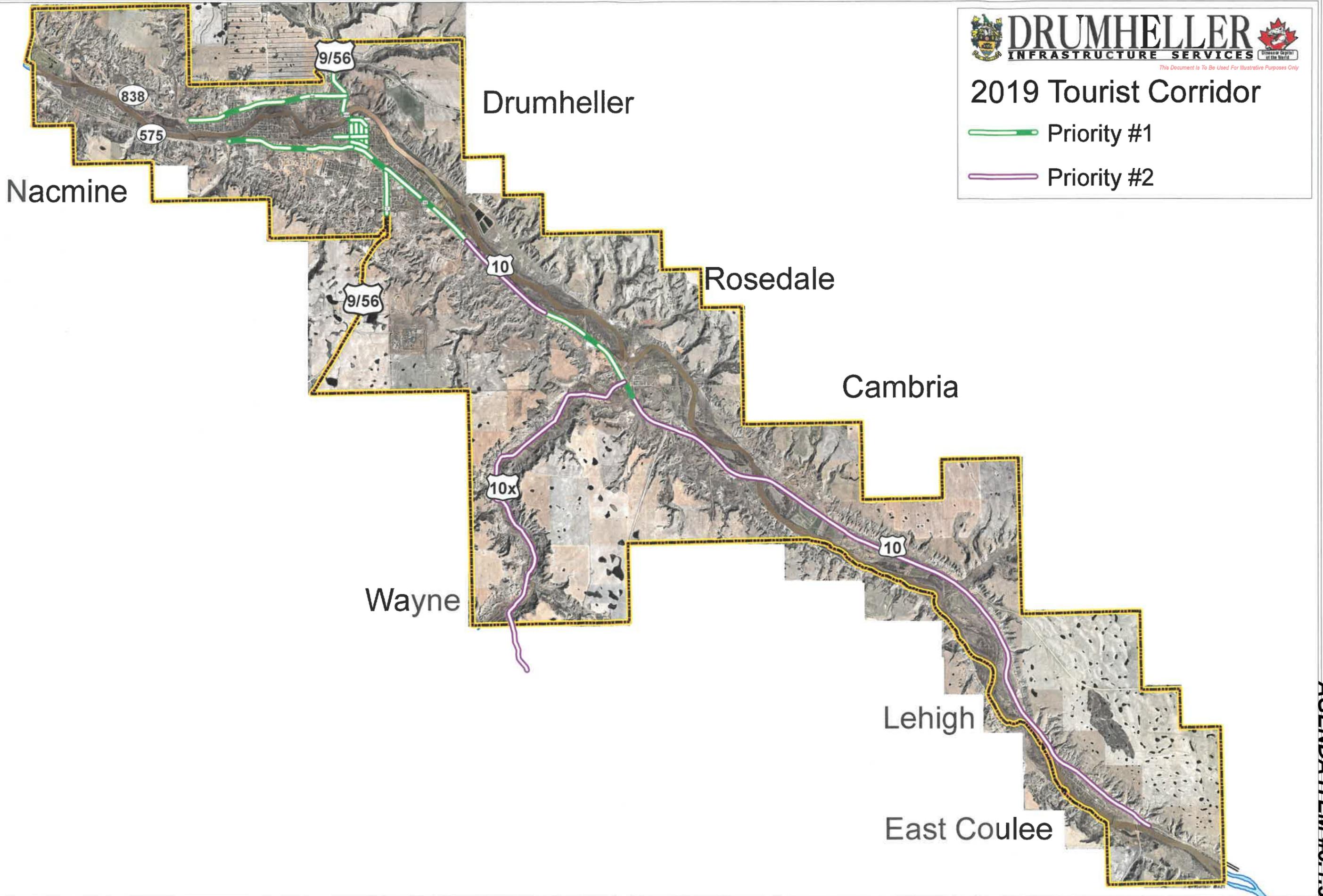
Mayor

Chief Administrative Officer

**Schedule A
Tourism Corridor Priority Area 1 and Priority Area 2**

Schedule B**TOURISM CORRIDOR BYLAW FINES**

Unsightly Premises / Accumulation of Building Material	
Derelict Equipment Infractions	\$250.00
a) second offence	\$500.00
b) third and subsequent offences	\$750.00
Waste Collection Infraction	\$250.00
a) second offence	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Maintain Grass, Trees and Weeds	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Maintain Buildings and Fences	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Failure to Remove Graffiti	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Signage Infractions	\$250.00
a) second offence within same calendar year	\$500.00
b) third and subsequent offences within same calendar year	\$750.00
Littering Infractions	\$250.00
c) second offence within same calendar year	\$500.00
d) third and subsequent offences within same calendar year	\$750.00

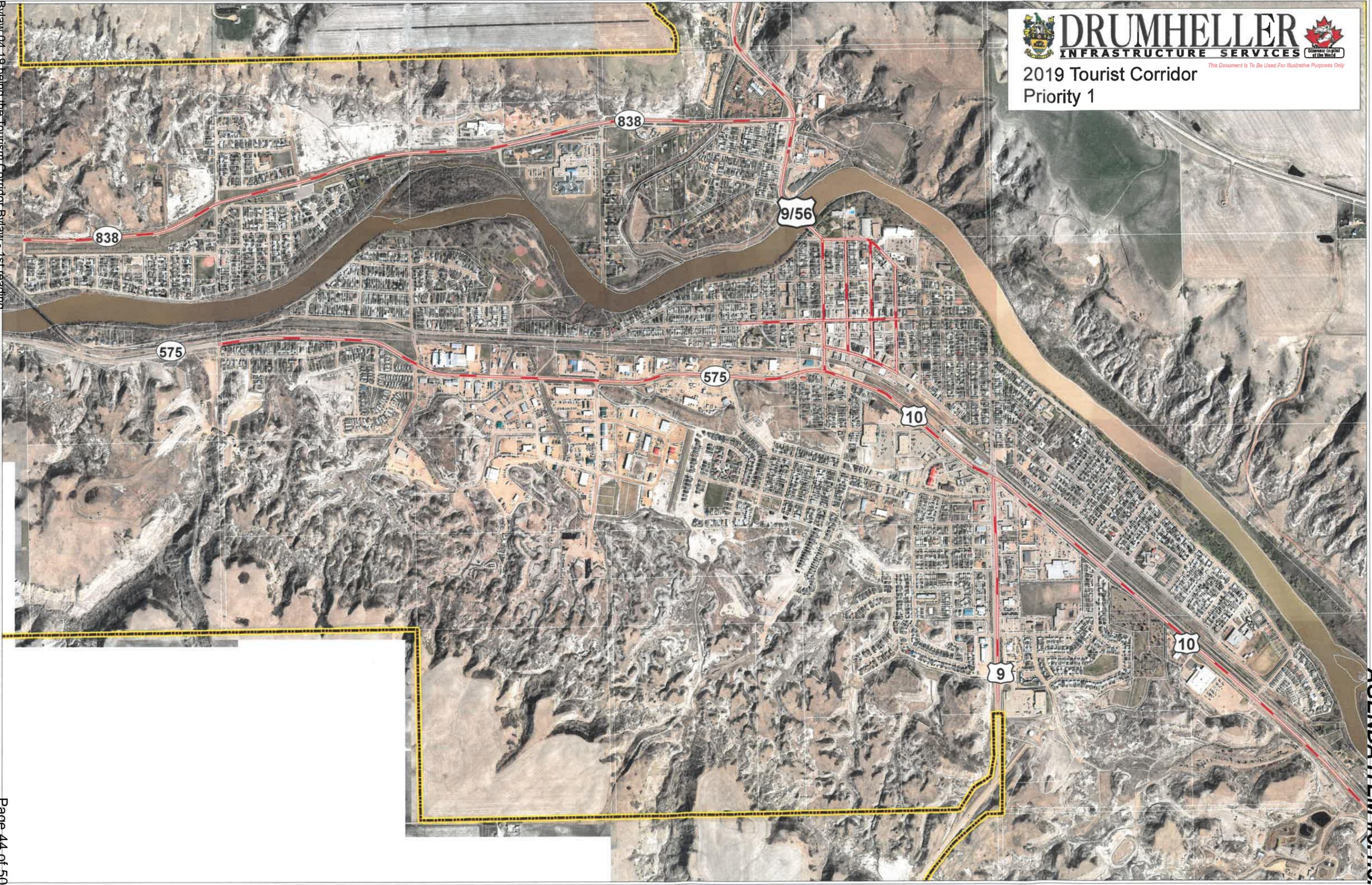


DRUMHELLER
 INFRASTRUCTURE SERVICES

This Document Is To Be Used For Illustrative Purposes Only

2019 Tourist Corridor

- Priority #1
- Priority #2





DRUMHELLER

COUNCIL POLICY



COUNCIL POLICY #C-04-02

DRUMHELLER LANDSCAPING POLICY

THE PURPOSE OF THIS POLICY IS TO:

The intent of this landscaping policy is to contribute a reasonable standard of livability and appearance for developments from the initial placement of the landscaping through its mature state, to provide a positive overall image for Drumheller and to encourage good environmental stewardship.

POLICY STATEMENT:

The Town of Drumheller has established landscaping standards to be adhered by residential, commercial and industrial developers. This document is intended to ensure that landscaping is consistently developed and maintained throughout the Town.

STANDARDS

GENERAL REGULATIONS

1. The preferred materials for landscaping in Town of Drumheller is grass, trees, shrubs and flowers. Combinations of suitable hard and soft landscaping material may be acceptable.
2. All portions of a site not covered by structures, parking or vehicular circulation areas shall be landscaped.
3. In addition to all other landscaping requirements, all town boulevards adjoining the site shall be landscaped and maintained by the developer/landowner.
4. All plant material selected shall be hardy to the Drumheller area and to the actual site conditions.
5. Unique natural feature should be incorporated into the landscaping plan for the site.
6. Paving stones, patterned concrete, shale, rock and other forms of hard landscaping may acceptable in separate boulevard under 1.5 metres. Openings for planting trees, shrubs or flowers should be provided at a ratio of 1 per 45 m².
7. Existing grass, trees and shrubs retained on site may be considered as part of the landscaping requirement.
8. Trees & shrubs shall be provided in accordance with the following standards:
Residential: 1 tree per 45 m² and 1 shrub per 15 m²
Commercial: 1 tree per 35 m² and 1 shrub per 15 m²

- Industrial: 1 tree per 35 m² and 1 shrub per 15 m².
 9. Tree Sizes

Tree Type	Min Caliper	Min Height
Ornamental	35 mm	-
Small deciduous	50 mm	2 metres
Small Coniferous	50 mm	2 metres
Large Deciduous	85 mm	3 metres

10. The proportion of deciduous to coniferous trees shall be approximately 2/3:1/3.
11. Where space permits, trees shall be planted in groups.
12. The majority of required landscaping shall be concentrated in the front yard.
13. All trees and shrubs shall be maintained for two growing seasons. Trees or shrubs which die during this period must be replaced during the next planting season.
14. The Development Authority may require a guaranteed security from the property owner to ensure that landscaping is provided and maintained for two growing season.
15. The Development Authority may, where it considers appropriate vary any or all of the General Landscaping policies if in their opinion, a proposed landscape plan meets or exceeds the intent of this policy.
16. A landscaping plan may be required as part of a service agreement.
17. Boulevards along provincial highways or major traffic arteries which may be impacted by salt, snow removal chemicals or snow plowing, the first 1.5 m of the boulevard may be surfaced with a hard landscaping material. The remainder of the boulevard shall be planted in grass.

RESIDENTIAL

1. The front yard shall be landscaped with grass, trees, shrubs and/or flower beds. Areas of shale, rock or other hard landscaping may be acceptable if less than 25% of the total area or as otherwise approved.
2. There shall be at least 2 trees per lot.

COMMERCIAL

1. Not with standing Section 20 of the General Regulations, separate boulevard over 1.5 metres in width shall be landscaped with grass, trees, shrubs and or flower beds and maintained.
2. Separate boulevards less 1.5 metres in width may be surfaced with rock, shale, paving stones, patterned concrete or other hard surfacing as approved.
3. Areas with parking lots containing more than 10 parking stalls shall provide and maintain perimeter planting and/or berming.
4. In larger parking lots, internal islands or planting areas are encouraged.

5. Commercial businesses are encouraged to provide and maintain hanging planters and/or planting boxes.

INDUSTRIAL

1. Not with standing Section 20 of the General Regulations, boulevards greater than 1.5 metres in width located along provincial highway or major traffic route shall be landscaped with grass, trees, shrubs and/or flower beds, unless otherwise approved.
2. Parking lots having 10 or more parking stalls visible from an adjoining residential site or from a provincial highway or major traffic route shall have perimeter planting and/or berming.
3. Industrial developments located in lower profile areas may use more hard landscaping or lower maintenance features provided they include a variety of features.
4. Landscaping plans for all industrial sites shall be approved as part of the development approval.

Adopted by Council

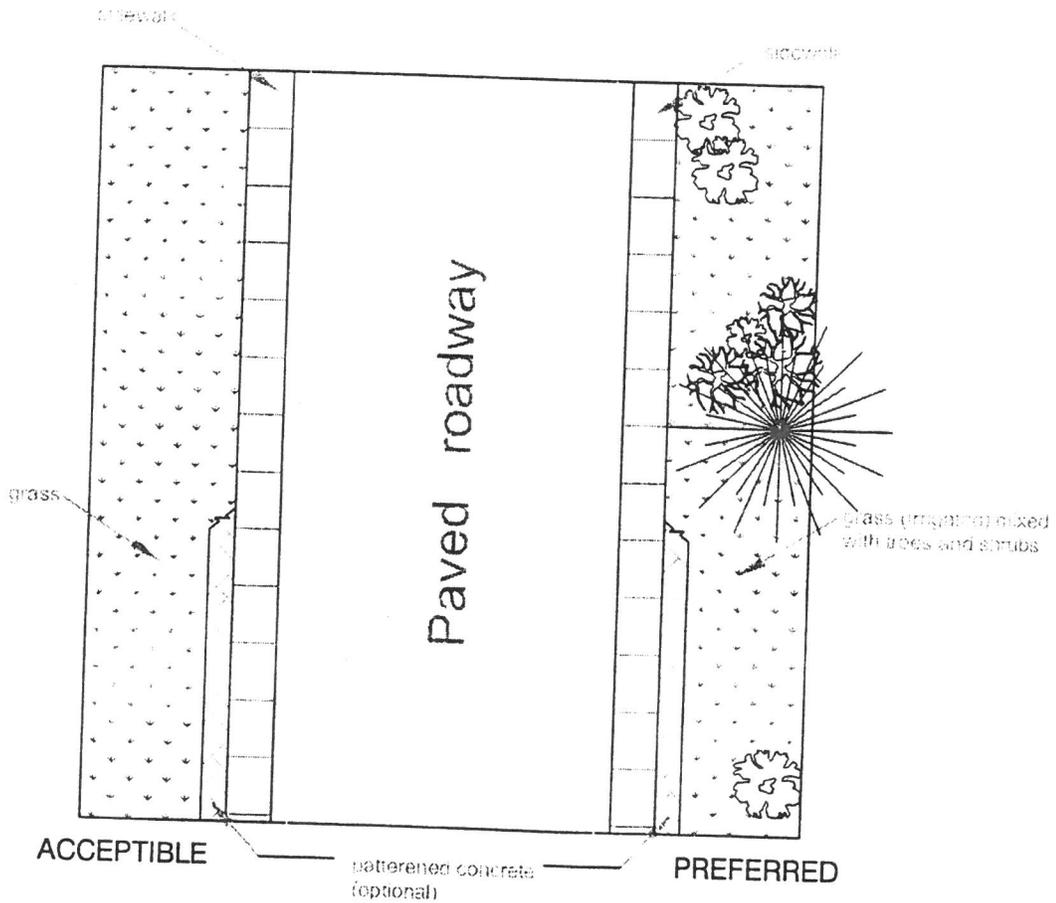
Date: July 2, 2002

Mayor of Drumheller

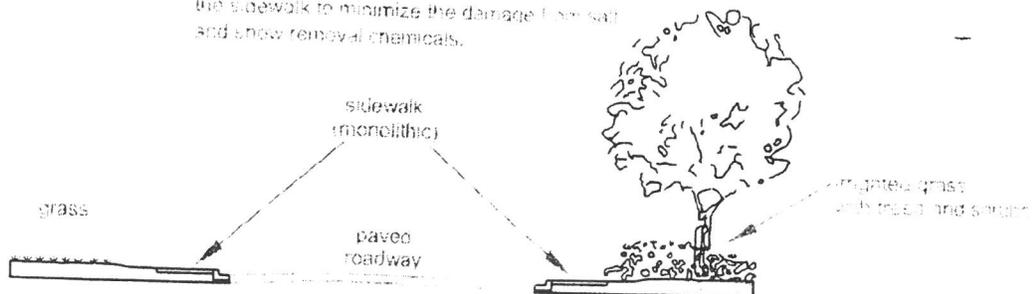
Chief Administrative Officer

EXAMPLES OF BOULEVARD TREATMENTS

Areas with Irrigation

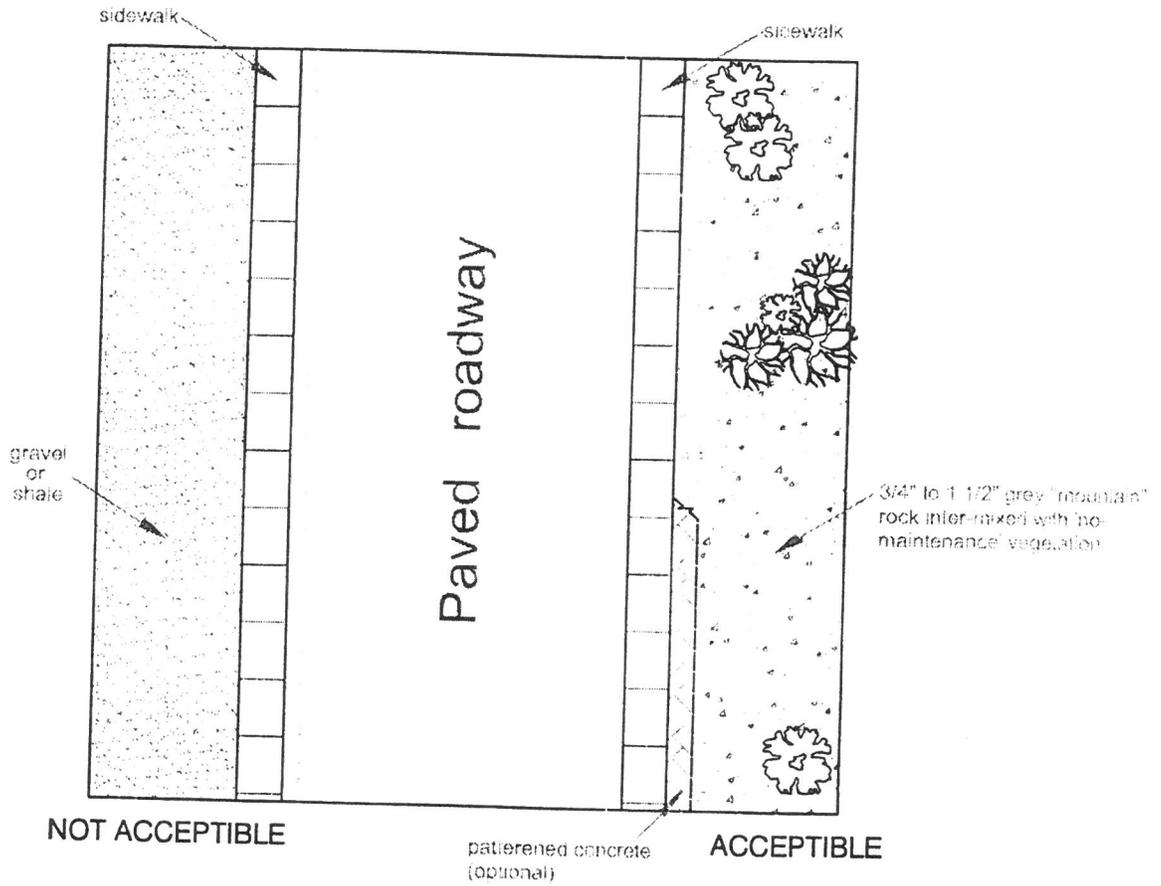


Note: Along Highways and Major Arterials, up to 1 foot of battered concrete may be installed behind the sidewalk to minimize the damage from salt and snow removal chemicals.

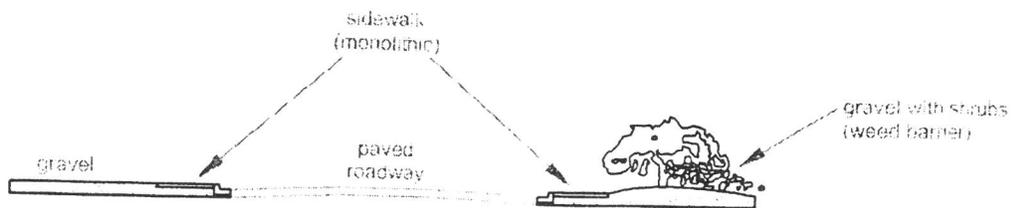


EXAMPLES OF BOULEVARD TREATMENTS

Areas without Irrigation

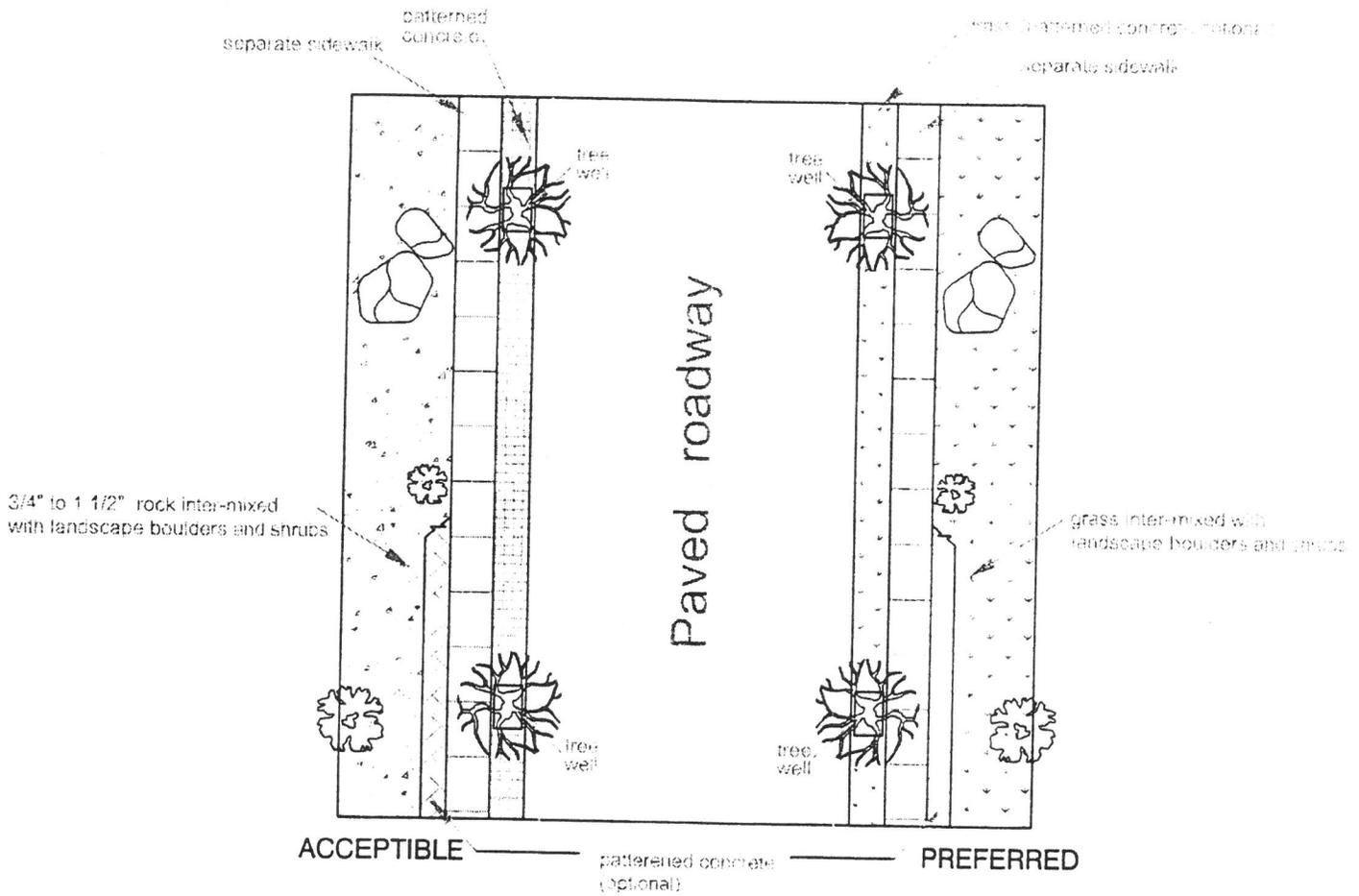


Note:
Along Highways and Major Arterials, up to 1.5m
of patterned concrete may be installed behind
the sidewalk to minimize the damage from salt
and snow removal chemicals



EXAMPLES OF BOULEVARD TREATMENTS

Separate Boulevard



Note:
Along Highways and Major Arterials, pattered concrete may be installed between the curb and sidewalk to minimize the amount of salt and snow removal chemicals.

