

**Village of Empress
Province of Alberta
Bylaw No. 2025-12**

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26, Section 7(a), a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26 Section 7(c), a Council may pass bylaws for municipal purposes respecting nuisances, including unsightly property; and

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26 Section 7(i), a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all the matters listed therein.

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF EMPRESS ENACTS AS FOLLOWS:

SECTION 1 – TITLE AND PURPOSE

1.01 This bylaw may be cited as the “Community Standards Bylaw”.

1.02 The purpose of this Bylaw is to:

- a. promote property maintenance and ensure the upkeep of Properties;
- b. support the remediation efforts of the Village in addressing and correcting non-compliant Properties; and
- c. promote the safe and enjoyable use of Properties within the Village by regulating the conduct and reasonable use of Properties.

SECTION 2 - DEFINITIONS

2.01 In this Bylaw, unless the context otherwise requires:

- b. "Animal Material" means any animal excrement, offal, carcasses or parts thereof, including all material accumulated on a Property from pet pens, yards, stables.
- c. "Building Material" means materials from a construction or demolition site that are or include reinforced concrete, asphalt, lumber, timber, metal framing materials, reinforcing steel, glass, ductwork, plaster, drywall, or similar materials, or earth, vegetation, or rock displaced during such construction, alteration, or repair;
- d. "Council" means the duly elected Council of the Village of Empress;
- e. "Court" means a Court of competent jurisdiction in the Province of Alberta;
- f. "Dangerous Property" means any condition on a Property which, in the opinion of a Enforcement Officer, may create or constitute a danger to public safety;

- g. "Derelict Equipment" means equipment or machinery that is inoperative by reason of its disassembly, age, or mechanical condition, including any household appliance stored outside of a building regardless of whether it is in an inoperative condition;
- h. "Derelict Vehicle" means the whole or any part of a motor vehicle or farm equipment that:
- i. is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, or inoperative condition and is not located in a building or on a Property such that it can be concealed from view;
 - ii. has no current license plate attached to it and has not been issued a registration certificate for the current year; or
 - iii. is inoperative by reason of removed parts or equipment and is not located within a building or on a Property such that it can be concealed from view;
- i. "Enforcement Officer" means a individual who is appointed as a bylaw enforcement officer under the *Municipal Government Act* or Peace Officer as defined by the *Provincial Offences and Procedure Act* and is the designated officer for the purpose of issuing Enforcement Orders.;
- j. "Enforcement Order" means a written order in accordance with sections 545 or 546 of the *Municipal Government Act*;
- k. "Municipal Tag" means a ticket alleging an offence issued pursuant to the authority of a Bylaw of the Village;
- l. "Nuisance" means an emission or invasion, including but not limited to, water, effluent, smoke, fumes, noise, or vibration, which, in the opinion of the Enforcement Officer is an unreasonably interference with the use and enjoyment of another Property;
- m. "Occupant" means any Person, including the Owner of the Premises, who is in possession or control of the Premises, including but not limited to, a lessee, licensee, tenant, contractor or agent of the Owner;
- n. "Owner" means the person as registered on title pursuant to the *Land Titles Act* RSA 2000, c L- 4, as amended from time to time;
- o. "Person" means an individual or any business entity including a firm, partnership, association, corporation, company, society, or other legal representative.
- p. "Pest" means an animal, bird, reptile, or insect that may, in the opinion of a Designated Officer, cause annoyance or harm to a Person, animal, plant, or other Property, including but not limited to an organism declared as a Pest pursuant to the *Agricultural Pests Act*, RSA 2000, c A-8 as amended from time to time;
- q. "Property" means any lands, buildings, structures, or premises, or any personal property located thereupon, within the jurisdictional boundaries of Village of Empress;
- r. "Unsightly Property" means any Property whether land, Buildings, improvements to land or Buildings, personal property or any combination of the above, located on lands within the Village, which, in the opinion of an Enforcement Officer, is unsightly to such a degree as to detrimentally affect the repose, amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the Unsightly Property, or is otherwise

detrimental to the surrounding area or in an unsightly condition as defined in the Municipal Government Act, and includes, but is not limited to the following:

- i) the failure to cut or control grass and vegetation on the premises; including the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or roadway clearance;
 - ii) the failure to keep buildings or structures in a reasonable state of repair; permitting a building or structure to deteriorate, become damaged or exist in a ruinous or derelict state;
 - iii) accumulation of Animal Material, Building Material or Yard Material on the premises;
 - iv) failure to remove dead or hazardous trees or vegetation which is dangerous to the public safety and affecting public lands;
 - v) the storage or accumulation of derelict vehicles or derelict equipment on the premises.
 - vi) the storage, stockpile or accumulation of rubbish, garbage, refuse, waste or other articles or materials including, but not restricted to, discarded or derelict furniture or household appliances, scrap metals, scrap lumber, tires, motor vehicle parts and other like objects whether of any apparent value or not and whether located in a storage area or elsewhere upon the premises;
 - vii) allowing a hole, excavation or accumulation of material that may be dangerous to public safety or health, to exist on premises;
 - viii) allowing conditions that result in an infestation of Pests on the premises;
 - ix) presence of graffiti that is visible from any surrounding Property;
 - x) allowing conditions which constitute a Nuisance.
- s. "Village" means the Municipal Corporation of the Village of Empress;
- t. "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.;

2.02 The CAO is authorized to create, review and revise any forms, notices or orders referenced in the Bylaw.

SECTION 3 - GENERAL PROHIBITIONS

3.01 An Owner shall not cause or allow their Property to be a Nuisance, Unsightly Property, or Dangerous Property.

3.02 In determining whether a Property is an Unsightly Property, an Enforcement Officer shall consider the location and authorized use of the Property.

- 3.03 Notwithstanding Section 2.01(r) of this Bylaw, the accumulation of Building Material or equipment on a Property shall not constitute an Unsightly Property so long as:
- a. the Building Material and equipment are related to the work authorized by a building permit or a development permit; or
 - b. the Building Material and equipment is related to normal maintenance or repair; and
 - c. in the opinion of a Enforcement Officer, the work is currently in progress, the accumulation is not excessive, and all reasonable steps are being taken to minimize Nuisance or the Property becoming a Dangerous Property or an Unsightly Property.
- 3.04 The accumulation of Animal Material on Property shall not constitute a Nuisance or Unsightly Property under this Bylaw so long as, in the opinion of a Enforcement Officer, the accumulation is not considered excessive given the scope and scale of the activity.

SECTION 4 – PROPERTY STANDARDS AND MAINTENANCE

- 4.01 Every Occupant shall ensure that the Property is maintained in a reasonable state of repair and does not become an Unsightly Property, including, but not limited to, to the following:
- a. repair and maintenance of any significant deterioration of any buildings, structures, or improvements, or portions thereof;
 - b. repair and maintenance of any broken or missing windows, siding, shingles, shutters, eaves troughs, or other related improvements; and
 - c. removal or painting over any graffiti place on Property to ensure it is blocked from public view.
- 4.02 Every Owner of an unoccupied building shall ensure that all windows, doors and openings are secured against unauthorized access and secured against moisture entering the building.
- 4.03 Every Owner shall take reasonable steps to prevent the attracting, sustaining, or breeding of Pests on their Property.

SECTION 5 - ENFORCEMENT

- 5.01 All complaints about Dangerous Property, Unsightly Property or Nuisance shall be referred to an Enforcement Officer.
- 5.02 If the Enforcement Officer determines a complaint to be valid, the Enforcement Officer may issue a warning notice to the Owner or Occupant of the Property. The notice may include but is not restricted to providing the following directions to the Owner or Occupant of the Property:
- a. cease the activity which causes the Property to be an Unsightly Property;
 - 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 Unsightly Property, including:
 - i) the removal of any thing or matter from the property, which makes the Property an Unsightly Property; and
 - ii) the construction, installation or repair of a screen, enclosure, or any other condition which causes the Property to be an Unsightly Property;
 - d. specify the time within which such person must comply with the directions contained in the notice;
 - e. offer the owner or occupant of the property an opportunity to enter into any other voluntary agreement with the Village to keep the Property clean, tidy and in a state such that it is not an Unsightly Property; and
 - f. specify the time limits within which the actions must be completed.
- 5.03 Notwithstanding Section 5.02, if the Enforcement Officer determines a complaint to be valid, they may at their unfettered discretion, proceed with the immediate issuance of an Enforcement Order.

SECTION 6 - SERVICE OF NOTICE OR ENFORCEMENT ORDER

- 6.01 An Enforcement Order may be served:
- a. in the case of an individual
 - i) by delivering it personally to the individual;
 - ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age; or
 - iii) by registered mail addressed to the individual at their apparent place of residence or to any address for the individual listed on the tax roll of the Village; or
 - b. in the case of a corporation or partnership:
 - i) by delivering it personally to any director or officer of the corporation or partner of a partnership;
 - ii) by delivering it personally to a Person apparently in charge of an office of the corporation or partnership at an address held out by the corporation or partnership to be its head-office; or
 - iii) by registered mail addressed to the registered office of the corporation or partnership.
- 6.02 In the event that the methods of service listed in Section 6.01 of this Bylaw prove, in the opinion of the Enforcement Officer, to be impractical or not likely to be successful, service can be effected by any other means that the Enforcement Officer determines to be appropriate, including but not limited to:
- a. posting to the Property;

- b. issuance by regular mail; or
- c. advertising in a local newspaper or similar publication.

SECTION 7 – OFFENCE

- 7.01 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a specified penalty as set out in Schedule "A" herein.
- 7.02 Any Person who fails to comply with an Enforcement Order issued pursuant to this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "A" herein.
- 7.03 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

SECTION 8 – ENFORCEMENT

- 8.01 Where an Enforcement Officer believes that a Person has contravened any provision of this Bylaw, the Enforcement Officer may issue a Municipal Tag to that Person.
- 8.02 Where a Municipal Tag is issued, the Person may pay the fine amount indicated on or before the date indicated on the Municipal Tag, in lieu of prosecution.
- 8.03 Violation Ticket
 - a. Where an Enforcement Officer believes that a Person has contravened any provision of this Bylaw, the Enforcement Officer may commence proceedings against the Person by issuing a Violation ticket pursuant to the *Provincial Offences Procedures Act*.
 - b. An Enforcement Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - a. specifying the fine amount established by this Bylaw for the offence; or
 - b. requiring a Person to appear in Court without the alternative of making a voluntary payment.
- 8.04 Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.
- 8.05 No provision of this Bylaw nor any action taken pursuant to any provision of this Bylaw shall in any way restrict, limit, prevent, or preclude the Village from pursuing any other remedy in relation to an offence as may be provided by the *Municipal Government Act* or any other law of the Province of Alberta.

SECTION 9 - FAILURE TO COMPLY WITH ENFORCEMENT ORDER

- 9.01 If a Person to whom an Enforcement Order is issued fails to comply, the Village may take whatever actions it is empowered to take under the *Municipal Government Act*.

SECTION 10 - AUTHORITY TO ENTER PROPERTY

10.01 An Enforcement Officer is a designated officer for the purposes of entering onto a Property pursuant to the *Municipal Government Act*.

SECTION 11 - OBSTRUCTION

11.01 No Person shall obstruct, hinder, or impede any Enforcement Officer, or Village employee, contractor, or agent in the exercise of any of their powers or duties under this Bylaw or make frivolous or vexatious complaints.

SECTION 12 - GENERAL PENALTIES

12.01 A person who is guilty of an offence under this Bylaw is liable to a fine in an amount not less than that established in Schedule "A" and not more than Ten Thousand Dollars (\$10,000.00) and to imprisonment of not more than 12 months.

SECTION 13 - SEVERABILITY

13.01 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

SECTION 14 - REPEAL OF BYLAW

14.01 Bylaw 2025-08 is hereby repealed.

SECTION 15 - EFFECTIVE DATE

15.01. This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*.

Read the first time this 10th day of September 2025.

Read the second time this 10th day of September 2025.

Consideration for third 10th day of September 2025.

Read the third time this 10th day of September 2025.

Dawna Martin

Jerry Gautreau

Dawna Martin, Mayor

Jerry Gautreau, CAO

10 September 2025

Date of signing

**Village of Empress
Province of Alberta
Bylaw No. 2025-12**

SCHEDULE "A"

MINIMUM AND SPECIFIED PENALTIES

SECTION	OFFENCE	MINIMUM SPECIFIED PENALTY	SECOND OFFENCE	THIRD OFFENCE
3.01, 4.01	No Person, including the Owner or Occupant of a Property, shall cause or permit the Property or use of the Property to be a Nuisance, Unsightly Property, or Dangerous Property.	\$500.00	\$1,000.00	\$2,000.00
4.02	Fails to secure Unoccupied Building	\$500.00	\$1,000.00	\$2,000.00
4.03	Fails to take steps to prevent pests	\$500.00	\$1,000.00	\$2,000.00
9.01	Failure to comply with Enforcement Order	\$1,000.00	\$2,000.00	\$3,000.00
11.01	Obstruction	\$500.00	\$1,000.00	\$2,000.00

