

SUMMER VILLAGE OF NORRIS BEACH

BYLAW #155

A BYLAW OF THE SUMMER VILLAGE OF NORRIS BEACH, IN THE PROVINCE OF ALBERTA, TO CONTROL THE USE OF MUNICIPAL PROPERTY

WHEREAS the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000, Part 2, Sections 7 and 8 and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people, property and transportation systems, and

WHEREAS within the corporate limits of the Summer Village of Norris Beach there are municipal properties owned by the Village under the ownership, control and management of the Summer Village of Norris Beach, and

WHEREAS it is deemed desirable and expedient to provide for the control and use of these municipal properties owned by the Village, and

WHEREAS the Traffic Safety Act, and amendments thereto, authorizes the Council of a municipality, with respect to Highways under its direction, to control, manage and pass bylaws authorizing Persons to operate Vehicles on any portion of such Highways, and

WHEREAS the Council of the Summer Village of Norris Beach considers it desirable and expedient to do so.

NOW THEREFORE the Council of the Summer Village of Norris Beach, in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1 - NAME OF BYLAW

This Bylaw shall be known as "The Municipal Properties Bylaw"

SECTION 2 – PURPOSE OF THIS BYLAW

The purpose of this Bylaw is to protect the long term viability of Municipal Properties. The purpose of this Bylaw is to protect the long term viability of Municipal Properties and to control activities on these properties for the safety of the residents of the Summer Village.

SECTION 3 – DEFINITIONS FOR THE PURPOSE OF THIS BYLAW

In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:

- a) "*All Terrain Vehicle*" includes a motorized recreational vehicle commonly known as a quad or trike and is included in the term "Off-Highway Vehicle".
- b) "*Council*" means the Council of the Summer Village of Norris Beach.
- c) "*Highway*" means a highway as defined in the Traffic Safety Act, and amendments thereto and excludes pathways defined in (k) below. In this Bylaw the term "road" is synonymous with the term "highway".
- d) "*Motor Vehicle*" means a motor vehicle as defined in the Traffic Safety Act.

- e) *"Municipal Property"* means roads, right-of-ways, boulevards, pathways, structures, equipment, installations, devices, signs, barriers, reserves, public parks including playgrounds, playground equipment and property owned by the Village.
- f) *"Off-Highway Vehicle"* means an off-highway vehicle as defined in the Traffic Safety Act and includes quads, snow machines and other such vehicles.
- g) *"Operator"* means a person who drives or is in actual physical control of any vehicle.
- h) *"Owner"* (of a vehicle) includes a person renting any vehicle or having exclusive use of that vehicle for a period of more than thirty days.
- i) *"Owner" (of a property) means :*
 - (i) the registered Owner of the property under the Land Titles Act, R.S.A. 2000, c.L-4, as amended or replaced and repealed from time to time; or
 - (ii) A Person who has purchased or otherwise acquired the Property, from a previous Owner of from another purchaser, and has not yet registered ownership; or
 - (iii) A Person listed as Owner of the Property on the current assessment role.
- j) *"Park"* – see *"Reserve"*.
- k) *"Pathway"* means any paved, graveled or natural walkway used by pedestrians and people using mobility aids, such as wheelchairs, and people using bicycles within the Summer Village.
- l) *"Peace Officer"* means an officer under the employ of the Pigeon Lake Protective Services, or other bylaw enforcement services appointed by Council pursuant to the Municipal Government Act.
- m) *"Person"* means any person, individual, owner, public body, society, firm or partnership.
- n) *"Playground"* means a piece of land used for and equipped with facilities for recreation especially for children.
- o) *"Reserve"* means any area designated as a public reserve, community reserve, or park, title to which is vested to the Summer Village of Norris Beach.
- p) *"Snow Vehicle"* includes a recreational Vehicle with motor, skis and tracks commonly known as a snowmobile or skidoo and is included in the term "off-highway vehicle".
- q) *"Structure"* means building, shed, fence, tree house, playground equipment and similar installations.
- r) *"Summer Village"* means the Summer Village of Norris Beach.
- s) *"Trailer"* means a vehicle so designated that it may be drawn by a motor vehicle or tractor and intended to transport property or persons and includes any vehicle defined by provincial regulation as a trailer.
- t) *"Vehicle"* means vehicle as defined in the Traffic Safety Act.
- u) *"Violation Ticket"* means a ticket issued pursuant to Part II or Part III of the Provincial Procedure Act, R.S.A. 2000, c.P-34, as amended and the regulations there under;

SECTION 4 – MUNICIPAL PROPERTY - USES AND RESTRICTIONS

Unless an exception is specifically approved in writing by the Summer Village, the following restrictions and conditions apply:

- a) When Pigeon Lake is covered in ice, Off-Highway Vehicles are restricted from operating on any Municipal property except for water-front Reserves, Parks, and Pathways, which may be used for access to and from the Lake provided that snow cover is sufficient to prevent environmental damage.
- b) When Pigeon Lake is not covered in ice, Off-Highway Vehicles are prohibited from operating on any Municipal property except for the purpose of moving boats, docks, and boat lifts.
- c) Operators of all Motor Vehicles, including Off-Highway Vehicles, shall be responsible for all damage incurred by the operation of their Vehicles on any Municipal Property.
- d) An Off-Highway Vehicle may be operated on all roads within the municipal boundaries of the Summer Village, in accordance with this Bylaw, *provided that* the Owner and Operator are licensed and the Off-Highway Vehicle is registered and insured as provided for in the Traffic Safety Act.
- e) Off-Highway Vehicles are prohibited from operating in the Summer Village between the hours of 11:00 p.m. and 8:00 a.m.

- f) Operators of all Motor Vehicles and Off-Highway Vehicles shall observe the posted speed limit on any road within the Summer Village and shall travel on the right side of the road.
- g) No camping is permitted in or on any Municipal Property.
- h) No fires of any type are permitted in or on any Municipal Property.
- i) The cutting of brush or trees or the damaging of natural growth of vegetation on any Municipal Property is prohibited unless authorized in writing by the Summer Village.
- j) Any action that damages or is likely to damage Municipal Property or that causes or is likely to cause danger to Summer Village residents or visitors is prohibited in or on any Municipal Property.
- k) No Person shall deposit waste of any kind or store any personal property in or on any Municipal Property except as provided by Sections 4m and 4n.
- l) No excavations or structures, including tree houses and fences, shall be placed on any Municipal Property.
- m) No games that may be dangerous to the health and safety of others are permitted in or on any Municipal Property.
- n) No Person shall distribute hand bills or circulars on any Municipal Property.
- o) No structures or evacuations shall be permanently or temporarily placed in or on any Municipal Property.
- p) No Person or Persons shall interfere with the natural flow of water or with wildlife in or on any Municipal Property.
- q) Persons using any Municipal Playground, Park, or Reserve shall not cause excessive noise or disturbance.
- r) No Person or Persons shall deface, damage or remove any municipal signage or markers such as road signs, delineator posts, warning signs, survey markers, directional signs, etc.
- s) The public use of any Playground or Reserve that shall make, cause, or permit to be made or caused, any noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any Person or Persons within the corporate limits of the Summer Village is prohibited between the hours of 11:00 p.m. and 8:00 a.m. Refer to the *"Bylaw for the Purpose of Regulating Noise in the Summer Village of Norris Beach"*.
- t) Organized public gatherings on Municipal Property, such as weddings and/or receptions, require the prior acknowledgement of the Chief Administrative Officer (CAO) of the Village and proof of adequate liability insurance.
- u) No Person or Persons shall behave in a noisy and abusive manner at any time in or on Municipal Property.
- v) No Person or Persons shall discharge a weapon within the municipal limits of the Summer Village. Refer to the *"Bylaw to Control the Use of Weapons in the Summer Village of Norris Beach"*.
- w) Building supplies, excavation material, and/or construction equipment shall not be stored on Municipal Property.
- x) Temporary parking of vehicles up to 48 hours is permitted on Summer Village Roads subject to the following:
 - i. Angle parking with any portion of the vehicle extending onto the roadway is prohibited. Only parallel parking with less than one half of the vehicle extending over the roadway is permitted.
 - ii. Parking of trailers of any type is prohibited on Summer Village roads.
- y) Ditches in or on Municipal Property may not be modified without permission in writing from the Summer Village. All driveways to residential lots must be equipped with culverts compliant with requirements as set out in the Village Land Use Bylaw. The culverts must be maintained free of obstructions so as to allow the drainage of runoff water.

SECTION 5-MUNICIPAL PROPERTY- WINTER STORAGE

a) Owners of property in the Summer Village of Norris Beach may store boat lifts, docks, and associated equipment on Municipal Property subject to the following conditions:

- i. All lifts and docks must be clearly marked with the owner's Norris lot number for identification.
- ii. Any unmarked or unverifiable equipment may be deemed to be abandoned and subsequently removed at the owner's expense.
- iii. All stored material must be removed by June 1 and not returned to storage until September 1 of each year unless special permission is granted by Council and only prior to June 1st.
- iv. No items or markers will be left to hold storage spots.
- v. Storage must be done on grassed areas in such a manner as public access to the lake is not blocked or impaired.
- vi. Vegetation including brush or trees must not be damaged to clear areas for such storage.
- vii. Boat and trailer storage on Municipal Property is prohibited at all times.

SECTION 6 – LIABILITIES

- a) Owners of piers, boat lifts and associated equipment attached to or stored on water-front Reserves and Parks within the Village shall be responsible for safely locating such equipment and maintaining such equipment in good condition without risk to the public or the environment. The Summer Village of Norris Beach assumes no liability for this equipment, or its use by the Owner or the Public. The Owners of such equipment shall be liable for any and all damages caused by storage of such property.

SECTION 7 – SEVERABILITY

- a) Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

SECTION 8 - PENALTY PROVISIONS

- a) A Peace Officer or Bylaw Enforcement Officer authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and who has reasonable and probable grounds to believe that a Person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where this tag is not paid by the offender a Part 2 violation tag may be issued under the *Provincial Offences Procedures Act* R.S.A., Chapter 2000, P-34, to that Person.
- b) Any Person who contravenes the provisions of this Bylaw shall be guilty of an offense and liable on summary conviction to the penalty as set out in Schedule 'A'.
- c) Penalties set out in Schedule "A" may be amended from time to time by a resolution of Council.

SECTION 9 – REPEAL

- a) Upon passing this Bylaw, #103 is hereby repealed.

SECTION 10 – EFFECTIVE DATE


READ a first time this 16th day of August, 2018, A.D.

READ a second time this 20th day of September , 2018, A.D.

READ a third time and finally passed this 20th day of September, 2018, A.D.



Brian Keeler, Mayor
Summer Village of Norris Beach



Sylvia Roy, Chief Administrative Officer
Summer Village of Norris Beach

Schedule "A" to Bylaw No. 155 – Summer Village of Norris Beach

A BYLAW TO CONTROL THE USE THE USE OF MUNICIPAL PROPERTY

Penalties		
Offense	Section	Fine
Unauthorized use of Vehicles, Off-Highway Vehicles or Trailers in any Reserve, Park or Pathway.	4 b)	\$150.00
Operating a Vehicle without required Operator's license, Vehicle registration or insurance.	4 d)	per Traffic Safety Act
Operating an off-Highway Vehicle between the hours of 11:00 p.m. and 8:00 a.m.	4 e)	per Noise Bylaw
Failure to observe posted speed limits.	4 f)	per Traffic Safety Act
Camping, causing or having fires, cutting of brush or trees, damaging natural growth, depositing waste or obnoxious use of or on any Municipal Property.	4 g-k)	\$125.00
Games dangerous to the health and safety of others in or on any Municipal Property.	4 m)	\$150.00
Distribution of handbills or circulars on any Municipal Property.	4 n)	\$100.00
Placing of Structures or excavations in or on any Municipal Property.	4 o)	\$100.00
Interference with the natural flow of water or with wildlife in or on any Municipal Property.	4 p)	\$100.00
Allowing or permitting any noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any Person or Persons within the corporate limits of the Summer Village between the hours of 11:00 p.m. and 8:00 a.m.	4 s)	per Noise Bylaw
Behaving in a noisy and abusive manner in or on any Reserve, Park or Pathway.	4 u)	\$100.00
Discharging a weapon within the limits of the Summer Village.	4 v)	per the Bylaw to Control Weapons

Deface, damage or remove any municipal signage or markers such as road signs, delineator posts, warning signs, survey markers, directional signs, etc.	4 r)	per Prov. & Criminal Statute
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Placing of unauthorized material or abandoning material on Municipal Property, plus removal costs.	June 2	Section 5
	June 7	Warning
	June 14	\$100.00
	June 30	\$200.00
		Removal and Storage Costs

Failure to inscribe boat lifts, piers and associated equipment with the Owner's lot number.	5ii)	\$50.00
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Parking of motor vehicles and trailers in excess of 72 hours on streets or road allowances.	4. x)	\$75.00
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****All fees double on second offence****