



BYLAW

Bylaw Number: 1284/17

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA TO PROHIBIT RECREATIONAL ACTIVITIES IN STORM WATER MANAGEMENT AREAS

1. PURPOSE:

- 1.1 **WHEREAS**, Section 3(c) of the Municipal Government Act of the Province of Alberta provides that the purpose of a municipality is to develop and maintain safe and viable communities,
- 1.2 **AND WHEREAS** Section 7 of the Municipal Government Act of the Province of Alberta provides for the general jurisdiction to pass bylaws for municipal purposes respecting:
- the safety, health and welfare of people and the protection of people and property, and
 - people, activities and things in, on or near a public place
- 1.3 **AND WHEREAS**, Council deems it proper and expedient to ensure the safety of people in respect to the Town of Nanton's storm water facilities,
- 1.4 **NOW THEREFORE**, the Council of the Municipality of the Town of Nanton in the Province of Alberta duly assembled enacts as follows:

2. INTERPRETATION:

In this bylaw where the terms he or she or him or her are used, the association shall be gender neutral.

- 2.1 "CAO" means the Chief Administrative Officer of the Town, or his delegate
- 2.2 "Peace Officer" means a member of the Royal Canadian Mounted Police, or a Special Constable or a Municipal Enforcement Officer of the Town Nanton.
- 2.2 "Storm water" means surface run-off water that is the result of natural precipitation.
- 2.3 "Storm water facility" means any portion of any construction, facility or feature designed and utilized for the collection, movement, drainage, detention, release or removal of storm water. Without limiting the generality of the foregoing, "storm water facility" includes catch basins, culverts, manholes, drainage ditches, storm water detention ponds, lakes, streams, rivers and watercourses which receive or facilitate the movement of storm water.
- 2.4 "Violation ticket" has the same meaning as in the *Provincial Offenses Procedures Act*, R.S.A. 2000, C P-34 as amended.

3. ENACTMENT:

- 3.1 A person shall not wade, swim, boat, fish, skate, or carry on any recreational activity on or in a Town storm water facility except as permitted by the CAO.

4. ENFORCEMENT:

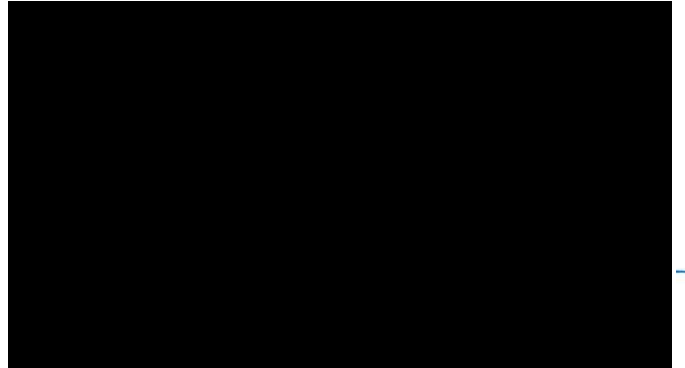
- 4.1 Any person who violates this Bylaw is guilty of an offence and is liable on conviction to a fine of not more than \$1,000.00. In default of payment of the fine, the person is liable to imprisonment for a term not exceeding six months.
- 4.2 Where a Peace Officer believes that any person has contravened this Bylaw, he may serve upon such person a violation ticket.
- 4.3 A violation ticket will be deemed to have been sufficiently served
- if served personally on the accused; or
 - if sent by registered mail; or
 - if left at the accused's usual place of abode with an inmate thereof who appeared to be at least eighteen (18) years of age or over; or
 - if sent by regular mail.
- 4.4 All violation tickets issued must contain the section of the Bylaw which was contravened, provide for a voluntary payment amount pursuant to the provisions of this bylaw, and/or provide for a date, time and location for an appearance in Court should an accused exercise his/her right to defend any charge(s) pursuant to the provisions of this bylaw.
- 4.5 The specified penalty for violating the provision of this Bylaw shall be \$250.00 per offense.

5. GENERAL PROVISIONS, EFFECTIVE DATE AND READINGS:

- 5.1 Each provision of this Bylaw is independent of all other provisions. If any provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.
- 5.2 Bylaw No. 1284/17 comes into effect upon the date of final reading and signing thereof.
- 5.3 Read a **first** time this 6th day of February, 2017.



5.4 Read a **second** time this 20th day of March, 2017.



5.5 Read a **third** time this 20th day of March, 2017.

