



BYLAW

Bylaw Number: 1373/23

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA TO AMEND COMMUNITY BYLAW 1299/19.

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26, Revised Statutes 2000, the Council of the Town of Nanton in the Province of Alberta (hereinafter called the "Council") adopted Community Bylaw No. 1299/18;

AND WHEREAS the purpose of this Amending Bylaw is to introduce an enforceable regulation that addresses Excessive Protective Elements on Land and Premises without compromising the capability of property owners to surveil their own properties and adjacent public boulevards and laneways;

NOW THEREFORE, the Council of the Municipality of the Town of Nanton in the Province of Alberta duly assembled enacts as follows:

1. AMENDMENT:

Bylaw #1299/18 is hereby amended as follows:

1.1 Section 2 has the following definition inserted:

Excessive Protective Elements means protective elements that are excessive and includes but is not limited to:

- a) Visual surveillance equipment, including video cameras, 'night vision' systems, surveillance drone equipment or electronic listening devices, installed on Land or Premises capable of permitting either stationary or scanned viewing or listening, by an operator or viewer or listener of that equipment, beyond the perimeter of Land owned, leased or occupied by the Owner or Occupant.
- b) Floodlighting and/or alarm equipment, including motion sensor-based technology, installed on Land or Premises, which unreasonably generates light or sound beyond the perimeter of Land owned, leased or occupied by the Owner or Occupant.

1.2 Section 16 is hereby inserted with the following:

16. EXCESSIVE PROTECTIVE ELEMENTS:

16.1 General Prohibition:

No person shall construct, affix or place or permit the construction, affixing or placement of Excessive Protective Elements on Land or Premises.

16.2 Exemptions:

16.2.1 The following are exempt from Section 16.1:

- a) Financial institutions in Commercially districted areas;
- b) Lands owned or occupied by the Federal or Provincial Government;
- c) Lands owned or occupied by the Town of Nanton or other municipal entities; and
- d) Land specifically exempted from this Section 16.1 of this Bylaw.

16.2.2 A person requesting an exemption from Section 16.1 of this Bylaw shall provide to the Chief Administrative Officer the following:

- a) Proof of ownership of the Land and where the person requesting the exemption is not the owner, authorization from the owner to request the exemption;
- b) Complete details of the location of the Land, including municipal address, legal description, the existing use and nature of the use (residential, commercial, industrial or farm), and a scaled drawing showing the Land and all structures on the Property;
- c) A detailed explanation shall be included of the exemption(s) requested and the rationale for requesting such an exemption(s). This should include details of the proposed application of Excessive Protective Elements along with an explanation of how that application of the Excessive Protective Elements is rationally connected to the purpose for which the exemption is being sought and the impact on the use and enjoyment of neighbouring Property; and
- d) Any other information or documents as may be required by the Chief Administrative Officer.

16.2.3 In determining whether to exempt any Land from Section 16.1 of this Bylaw, the Chief Administrative Officer may consider:

- a) the reason, necessity and rationale for the exemption(s) requested;
- b) the nature and extent of the specific exemption(s) requested;
- c) whether adjacent Land owners or Occupants have consented to the exemption or any conditions that may be attached; and
- d) the views of local law enforcement.

16.2.4 The Chief Administrative Officer may revoke an exemption under this section at any time, for any reason.

16.2.5 An exemption granted under this Bylaw is personal, not assignable, does not run with the Land, and immediately expires upon the sale of the Land or any change in occupancy or corporate control of the tenancy or ownership of the Land.



16.2.6 The Chief Administrative Officer's decision pursuant to Section 16 of this Bylaw shall be considered final.

1.3 Schedule 'A' is amended by the insertion of the following offence under Specified Penalties:

Offence	Section	Penalty
Excessive Protective Elements	16.1	\$ 250.00
(a) Second offence within 1 year		\$ 500.00
(b) Third and subsequent offences within 1 year		\$1,000.00

3. INTERPRETATION:

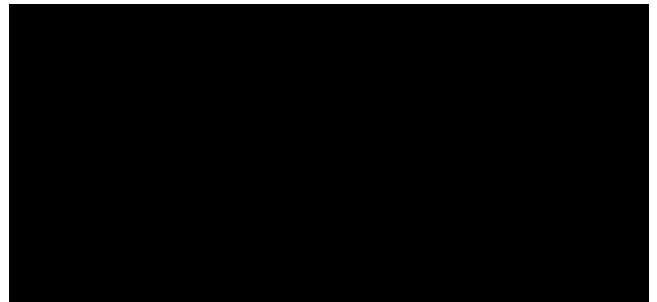
3.1 This Bylaw will be cited as the Community Bylaw #1299/18 Amending Bylaw No. 1273/23.

4. EFFECTIVE DATE AND READINGS:

4.1 This Bylaw comes into effect upon the date of final reading and signing thereof.

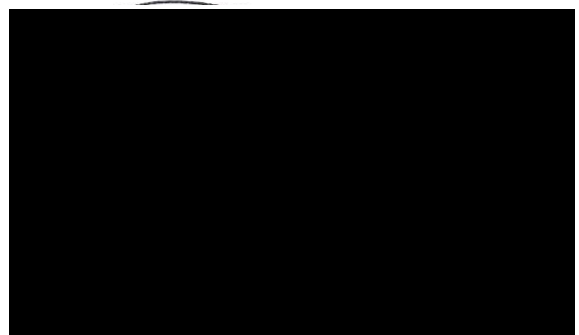
4.2 Read a first time this 19th day of June, 2023.

TOWN OF NANTON



4.3 Read a second time this 10th day of July 2023.

TOWN OF NANTON



4.4 Read a third time and passed this 10th day of July 2023.

TOWN OF NANTON

