

BYLAW 1909

A BYLAW IN THE TOWN OF FORT MACLEOD IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AUTHORIZING THE ESTABLISHMENT OF A BYLAW ENFORCEMENT OFFICER, TO SPECIFY THE DUTIES OF A BYLAW ENFORCEMENT OFFICER AND TO ESTABLISH A DISCIPLINARY PROCEDURE AND PROCESS FOR MISUSE OF POWER.

WHEREAS, under the Authority of the *Municipal Government Act, S.A. 2000 c.M-26* as amended, Council may, by Bylaw, authorize an Enforcement Officer to enforce the Bylaws established by Council of the Town of Fort Macleod;

AND WHEREAS, Section 556 of the *Municipal Government Act, S.A. 2000 c.M-26*, as amended required a municipality to adopt a bylaw which specifies the powers and duties of Bylaw Enforcement Officers and to establish disciplinary procedures for misuse of power, including penalties and an appeal process applicable to the misuse of power by Bylaw Enforcement Officers;

THEREFORE, the Municipal Council of the Town of Fort Macleod, duly assembled, enacts as follows:

1. Short Title

- a) This Bylaw may be cited as the "Bylaw Enforcement Officer" Bylaw.

2. Definitions:

- a) Bylaw – shall mean the Bylaws of the Town of Fort Macleod
- b) Bylaw Enforcement Officer – shall mean an employee, company or another municipality who has been appointed by the Town of Fort Macleod and pursuant to this Bylaw as a Bylaw Enforcement Officer.
- c) Council – shall mean the Council of the Town of Fort Macleod
- d) Municipal CAO – shall mean the person assigned to the role of Chief Administrative Officer or their designate.
- e) Municipality – shall mean the Town of Fort Macleod
- f) Oath – refers to the official oath prescribed by the *Oaths of Office Act (Alberta)*.
- g) Offense/Violation Ticket – any ticket issued for any bylaw offense/violation in which a penalty may be paid out of court in lieu of appearing to answer a summons.
- h) Notice- any notice or order that requires the remedy of a contravention of a Bylaw or another enactment that the municipality is authorized to enforce.

3. Appointment of Bylaw Enforcement Officer

- a) A person may be appointed as a Bylaw Enforcement Officer by resolution of the municipal Council.
- b) Each Bylaw Enforcement Officer shall take the official oath prior to commencing his/her duties provided in Schedule A.

4. Power and Duties of a Bylaw Officer

- a) The powers and duties of a Bylaw Enforcement Officer shall include, but are not limited to, the following:

1. To administer, enforce and ensure compliance with the bylaws adopted by the Town of Fort Macleod;
2. To respond to and investigate complaints and concerns;
3. To conduct routine patrols;
4. To issue notices and offence/violation tickets;
5. To maintain records and document bylaw contraventions, including appearing in court to provide evidence;
6. To assist in the prosecution of bylaw contraventions, including appearing in court to provide evidence as required;
7. To attend special events as required;
8. To perform alternate duties as may be assigned by the CAO or designate.

5. Authority of Bylaw Enforcement Officer

- a) The authority of a Bylaw Enforcement Officer shall terminate when:
1. The person ceases to be an employee of the Town of Fort Macleod, or
 2. The Municipal CAO or designate terminates the appointment of the person as a Bylaw Enforcement Officer.

6. Disciplinary Actions

- a) A Bylaw Enforcement Officer may be disciplined or dismissed for cause, in accordance with the *CUPE Local 70 Collective Agreement*.

7. Readings

- a) This Bylaw shall come into force and effect upon it receiving third reading by Council.

READ A FIRST TIME THIS 23rd DAY of March, 2020

READ A SECOND TIME THIS 23rd Day of March, 2020

READ A THIRD TIME AN DECLARED PASSED THIS 23rd Day of March, 2020



Mayor, Brent Feyter



CAO, Sue Keenan

SCHEDULE "A"

Oath of Office
Town of Fort Macleod Bylaw Enforcement Officer

[If Swearing]

I, _____, swear that I will diligently, faithfully and to the best of my ability execute according to the law the office of a Bylaw Enforcement Officer for the Town of Fort Macleod.

So help me God.

SWORN BEFORE ME at the _____ of)

_____, in the province of Alberta)

This _____ day of _____,)

In the year 20____.)

_____) _____

A commissioner for Oaths
in and for the Province of Alberta

Name:

[If Affirming or Declaring]

I, _____, swear and truly declare that I will diligently, faithfully and to the best of my ability execute according to the law the office of a Bylaw Enforcement Officer for the Town of Fort Macleod.

SWORN BEFORE ME at the _____ of)

_____, in the province of Alberta)

This _____ day of _____,)

In the year 20____.)

_____) _____

A commissioner for Oaths
in and for the Province of Alberta

Name:

SCHEDULE "A"

ORIGINAL

Oath of Office
Town of Fort Macleod Bylaw Enforcement Officer

[If Swearing]

I, _____, swear that I will diligently, faithfully and to the best of my ability execute according to the law the office of a Bylaw Enforcement Officer for the Town of Fort Macleod.

So help me God.

SWORN BEFORE ME at the _____ of)
_____, in the province of Alberta)

This _____ day of _____,)

In the year 20____.)

_____) _____

A commissioner for Oaths
in and for the Province of Alberta

Name:

[If Affirming or Declaring]

I, Wesley NOBLE, swear and truly declare that I will diligently, faithfully and to the best of my ability execute according to the law the office of a Bylaw Enforcement Officer for the Town of Fort Macleod.

SWORN BEFORE ME at the Town of)
Fort Macleod, in the province of Alberta)

This 4th day of May,)

In the year 2020.)

[Signature]) _____

A commissioner for Oaths
in and for the Province of Alberta

Name:

Michelle Hedley
My Appointment Expires
January 22, 2021

JANUARY 22, _____

JANUARY 22, _____

JANUARY 22, _____