

# BYLAWS

BYLAWS



## REGULAR COUNCIL MEETING

COUNCIL CHAMBERS  
TOWN ADMINISTRATION OFFICE

## Town of Valleyview Request For Decision

<b>Date:</b>	<b>February 26, 2024</b>
<b>From:</b>	<b>Kathy McCallum, Director of Corporate Services</b>
<b>Subject:</b>	<b>2024-04 Business Licence Bylaw</b>

### 1.0 PURPOSE

To seek Council's approval for three readings of 2024-04 Business Licence Bylaw.

### 2.0 BACKGROUND AND DISCUSSION

The Town of Valleyview's current Business Licence Bylaw is outdated (i.e., 1987) and requires updating to reflect the current needs of our community, Council's directions, and requirements of the *Municipal Government Act* (MGA), R.S.A. 2000, c. M-26, and amendments thereto.

2024-04 Business Licence Bylaw has been updated in its entirety and should be reviewed as such, and includes the following notable revisions:

1. MGA: Recognize Sections (s.) of the MGA applicable to the purpose of this Bylaw including s.7(a) "... a council may pass bylaws ... respecting safety, health and welfare ...", s.7(e) "... respecting businesses, business activities and persons engaged in business", s.7(i) "... respecting the enforcement of bylaws ...", s.8 "... a) Regulate or prohibit; b) Deal with any development, activity, industry, business, or thing ...; c) Provide for a system of licenses, permits or approvals ...".
2. Purpose: Added s.1 as per MGA requirements.
3. Definitions: Added – Application, Business Licence, CAO, Home-Based Business or Occupation, Licensing Administrator, Local Business, Mobile Vendor, MD. Of Greenview Business, Non-Local Business, Operate / Operating, Peace Officer, Public Place, Temporary Business Licence, Violation Ticket, to name a few; Removed – Development Officer, Home Occupation, Motor Vehicle, Planning Bylaws, Police; Updated – remaining meanings.
4. Parts (1-4) / sections (1-23) / subsections (numerous): Added titles and numbering system for ease of reading and locating information.
5. Sections / subsections: Added clarity and user-friendly wording throughout bylaw. Noted sections: 3. Interpretation, 5. Exemptions, 12. Other Businesses, 13. General Provisions, 14. Transfer, 17. Nullification, 18. Right to Appeal, 19. Penalties, 20. Appointment
6. Removed responsibility of Council for handling aspects of bylaw (i.e., selecting Licence Inspector, handling appeals) and placed responsibility onto CAO.
7. Added Appendix A: Business Licence Fees and Charges (added: per day fee for Mobile Vendor, Hawkers and Peddlers, Non-Resident; per day fee for default, late charges; and per event fee for Licence replacement, transfer, appeal).
8. Added Appendix B: Penalties (per bylaw section, offence, and 1<sup>st</sup>, 2<sup>nd</sup>, and subsequent offence penalty).
9. Current Bylaw 87-17 and all amendments (1993-09, 2005-11) are repealed.

The changes reflected within the Town of Valleyview's 2024-04 Business Licence Bylaw were based on the review of several updated Business Licence Bylaws including the Towns of Stony Plain (2023), Barrhead (2017), and Fox Creek (2018).

### **3.0 ALTERNATIVES**

- 3.1 Council gives three reading of 2024-04 Business Licence Bylaw.
- 3.2 Council moves to amend 2024-04 Business Licence Bylaw and gives first reading of 2024-04 Business Licence Bylaw.
- 3.3 Council accepts this RFD "2024-04 Business Licence Bylaw" as information only at this time.

### **4.0 FINANCIAL IMPLICATIONS**

Increased awareness to local and non-local residents and businesses of fees, charges, and penalties associated with carrying on and or operating a business within the Town of Valleyview limits.

### **5.0 ATTACHMENTS**

- 5.1 New Bylaw: 2024-04 Business Licence Bylaw
- 5.2 Current Bylaw: 87-17 Business License Bylaw, Amendments 1993-09, 2005-11

### **6.0 RECOMMENDATIONS**

Council gives three readings of 2024-04 Business Licence Bylaw.

Submitted By:   
Kathy McCallum, Director of Corporate Services

Approved By:   
Ben Berlinguette, Chief Administrative Officer

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**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
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**A BYLAW OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA, TO REGULATE, CONTROL, AND LICENSE ANY BUSINESS OR INDUSTRY, OCCUPATION, AND PROPERTY OPERATING IN THE TOWN OF VALLEYVIEW.**

**WHEREAS**, pursuant to Section 7(a) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting safety, health and welfare of people and the protection of people and property; and

**AND WHEREAS**, pursuant to section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

**AND WHEREAS**, pursuant to section 7(i) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Act* or any other enactment including any or all of the matters listed therein; and

**AND WHEREAS**, pursuant to section 8 of the *Municipal Government Act*, a council may in a bylaw:

- a) Regulate or prohibit;
- b) Deal with any development, activity, industry, business, or thing in different ways, divide each of them into classes and deal with each class in different ways; and
- c) Provide for a system of licenses, permits or approvals, including any or all of the matters listed therein;

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA DULY ASSEMBLED, ENACTS AS FOLLOWS:**

## **PART 1: PURPOSE, DEFINITIONS, and INTERPRETATION**

### **1. Purpose**

The purpose of this bylaw is to regulate, control, and license any business or industry, occupation, and property operating within the Town's jurisdiction and to establish a system of licensing for businesses, business activities and persons engaged in business.

### **2. Definitions**

In this bylaw:

- 2.1 "**Act**" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- 2.2 "**Applicant**" means a Person who applies for a Business Licence, renewal, or transfer of a Business Licence required by this bylaw;
- 2.3 "**Application**" means a written Application, on a form approved pursuant to this bylaw, for a Business Licence required by this bylaw;

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- 2.4 ***"Business"*** means a Business as defined in the *Act*:
- a) a commercial, merchandising, or industrial activity or undertaking;
  - b) a profession, trade, occupation, calling or employment; or
  - c) an activity providing goods or services;  
whether or not for profit and however organized or formed, including a co-operative or association of Persons;
- 2.5 ***"Business Licence"*** means a Licence issued pursuant to this bylaw, on a form approved pursuant to this bylaw, for the purposes of allowing a Business to operate within the corporate limits of the Town;
- 2.6 ***"Business Licence Year"*** means the calendar year from January 1<sup>st</sup> and ending December 31<sup>st</sup> of the same year;
- 2.7 ***"Carry On" or "Carrying On"*** means to Operate, to act, to perform, to keep, to hold, to canvas, to occupy, to deal in, or to use and or to have for gain, whether as principal or agent;
- 2.8 ***"Charitable or Non-Profit Organization"*** means an organization defined pursuant to the *Charitable Fund-Raising Act* and registered as such;
- 2.9 ***"Chief Administrative Officer"*** or CAO means the chief administrative officer of the Town of Valleyview or their delegate;
- 2.10 ***"Council"*** means the Municipal Council of the Town of Valleyview;
- 2.11 ***"Development Authority"*** means the person or group whom, through bylaw, has been delegated development powers on behalf of the municipality;
- 2.12 ***"Expiry Date"*** means the last day the Licence is valid as listed on the Licence;
- 2.13 ***"Hawkers and Peddlers"*** means any Person who, whether as a principle or agent:
- a) Goes from door to door selling or offering for sale any merchandise or service to any Person, and who does not have a permanent place of Business in Town.
  - b) Offers or exposes for sale to any person by means of samples of merchandise or services or both to be afterwards delivered or shipped into the municipality.
  - c) Sells merchandise or a service or both, on the streets or roads or elsewhere other than a permanent place of Business.
  - d) Does not include a Person selling meat, fruit, or other farm produce that has been produced, raised, or grown by themselves, or fish of their own catching.
- 2.14 ***"Home Based Business or Occupation"*** means a Business whose primary location is in the business owner's residence and as described within the Town's Land Use Bylaw;
- 2.15 ***"Licence"*** means a Business Licence granted by the Town entitling a Person to whom it is granted to Carry On an activity therein specified in the Town. The said Licence shall be in the form of a written permit and showing thereon the type of Business engaged in;
- 2.16 ***"Licensee"*** means a Person who holds a valid and subsisting Business Licence issued pursuant to the provisions of this bylaw;
- 2.17 ***"Licensing Administrator"*** means a Person(s) authorized by the CAO to carry out the administration of this bylaw;



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- 2.18 **"Licence Inspector"** means a Person authorized by the CAO to carry out the enforcement and inspections of this bylaw, and may include a Peace Officer, the Licensing Administrator, or the CAO;
  - 2.19 **"Local Business"** means a Business that is physically located within the Town;
  - 2.20 **"Mobile Vendor"** means a vending Business that is Carried On from a non-permanent, mobile facility, including but not limited to a motor vehicle, trailer, cart, or cycle within the Town where sales and services from this Business type are limited to those offered at the mobile facility and cannot extend beyond.
    - a) Examples of a Mobile Vendor include, but are not limited to circuses, carnivals, midways, dare-devil exhibitions, stampedes, menageries, shooting galleries, and or any similar shows;
  - 2.21 **"Municipal District of Greenview Business"** means a Business that is physically located within the Municipal District of Greenview No. 16, a municipal corporation in the Province of Alberta;
  - 2.22 **"Municipality"** means the municipal corporation of the Town of Valleyview;
  - 2.23 **"Municipal Tag"** means a tag or similar document issued by the Town pursuant to the *Act* that alleges a bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence;
  - 2.24 **"Non-Local Business"** means a Business that is not physically located within the Town's corporate boundaries that provides services within the Town;
  - 2.25 **"Non-Resident"** means a Person or Business whose office or premises is not located in either the Town or the Municipal District of Greenview No. 16;
  - 2.26 **"Operate" or "Operating"** means to Carry On, to act, to perform, to keep, to hold, to canvas, to occupy, to deal in, or to use and or to have for gain, whether as principal or agent;
  - 2.27 **"Peace Officer"** means a Community Peace Officer or Bylaw Officer appointed by the Town to do any act, perform any duty, and enforce any provision outlined by any municipal bylaw, and includes a member of the Royal Canadian Mounted Police
  - 2.28 **"Person"** means an individual human being or a corporation and includes a partnership, an association, or a group of Persons acting in concert unless the context explicitly or by necessity implication otherwise requires;
  - 2.29 **"Premises"** includes the store, office, warehouse, factory building, enclosure, yard, or other place occupied or capable of being occupied by any Person for the purposes of any Business;
  - 2.30 **"Public Place"** means any Property, whether publicly or privately owned to which members of the public have access as of right, or by express or implied invitation, whether on payment of any fee or not;
  - 2.31 **"Resident"** means a Person or Business whose office or premises is located within the Town or the Municipal District of Greenview No. 16;
  - 2.32 **"Temporary Business Licence"** means a License granted to a Person who intends to carry on a Business in the Town for a period of not more than 1 week (7 days);

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2.33 **“Town”** means the Town of Valleyview;

2.34 **“Violation Ticket”** means a violation ticket as defined in *Provincial Offences Procedure Act*.

### 3. Rules of Interpretation

The following interpretation rules apply to this bylaw:

- 3.1 Marginal notes and headings in this bylaw are for ease of reference only;
- 3.2 A valid Licence means that the proposed Business has been reviewed and approved against the provisions of this bylaw; and
- 3.3 An approved Licence does not remove obligations to obtain the proper inspections or permits, or abide by other legislation, regulations, or bylaws, including, but not limited to, the Town of Valleyview’s current Land Use Bylaw and Community Standards Bylaw, the *Safety Codes Act* RSA 2000 c. S-1, the *Consumer Protection Act* RSA 2000 c. C-26.3, the *Gaming Liquor and Cannabis Act* RSA 2000 c. G-1, or the *Cannabis Act* SC 2018 c. 16, including any legislation that is not directly tied to business licensing.

## PART 2: LICENSING

### 4. Necessity of a Business Licence

- 4.1 No Person shall Carry On a Business within the Town unless a Business Licence has been issued pursuant to the provisions in this bylaw and any applicable Business Licensing policies and procedures approved by the Town.
- 4.2 A Person who operates a Business at more than one location must have a separate Business Licence for each location.
- 4.3 A Person who operates more than one Business at one location must have a separate Business Licence for each Business.
- 4.4 No Person shall contravene a condition of a Business Licence.
- 4.5 A Person who operates a Business shall follow all applicable legislation, regulations, and bylaws, and all Persons or Businesses shall be subject to inspection at any time by a License Inspector of the Town.
- 4.6 Any advertising of the Business(es) shall be deemed to be prima facie proof of the fact that the Person advertising is Carrying On any such Business.

### 5. Exemptions

- 5.1 A Business Licence is not required for the following organizations or Businesses and can be considered fee exempt however, the following organizations and Businesses shall nonetheless comply with the provisions of this bylaw and Carry On in accordance with all other applicable legislation, regulations, and bylaws:

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- a) Municipal, Provincial, or Federal government offices and services;
  - b) Any Business specifically exempts from municipal licensing by a statute of the Legislature of Alberta or Parliament of Canada;
  - c) Anyone under eighteen (18) years of age and a resident of the Town who is:
    - i. Operating as a Home Based Business or temporary Business;
    - ii. Providing occasional light duty services such as paper deliveries, babysitting, yard work, or snow shoveling, to name a few.
    - iii. Operating a beverage stand (i.e., selling lemonade);
  - d) The Town receives written confirmation stating the Business is no longer operating within the Town.

5.2 Notwithstanding any exemption, any Business shall register Business and contact information by submitting a completed Application to the Licensing Administrator.

## **6. Application for a Business Licence**

- 6.1 Before issue or renewal of a Licence, a Person must submit to the Licensing Administrator:
  - a) An Application in a form established by the Licensing Administrator;
  - b) The applicable Licence fee;
  - c) Confirmation that the Business is owned by, or will be licensed to a valid legal entity (a) for corporate applicants: a current corporate registry search showing the legal entity is active, or (b) for non-corporate applicants: a valid government-issued photo identification; and
  - d) Any other information required by this bylaw or by the Licensing Administrator.
- 6.2 A new Application must be submitted for:
  - a) A change in Business name;
  - b) A change in the nature of the Business;
  - c) A change of address;
  - d) An exemption as described in Section 5. Business Licence Exemptions; or
  - e) A renewal of a Temporary Business Licence.
- 6.3 A new Application will not be required for a change of contact information. Change of contact information must be submitted in writing to the Licensing Administrator.
- 6.4 Every Person who makes an Application for a Licence must submit to and assist in every inspection required with respect to the Business to be licensed and provide all information as required. Failure to disclose any information required regarding the Business shall be grounds for immediate cancellation of the Licence if issued, forfeiture of any Licence fee if paid, and guilty of an offence as described within this bylaw.
- 6.5 No Person shall give false information in any Licence Application.
- 6.6 Where required, proof of a valid development and safety codes permit(s) shall be provided by the Applicant to the Licensing Administrator prior to the issuance of a Licence.



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- 6.7 A Person Carrying On a Business within the Town limits and who fails to furnish information regarding their Business as requested by the License Inspector within ten (10) days from the date on which the request was made, is guilty of an offence as described within this bylaw and liable to a fine of not more than \$5.00 per day during which the default continues.

## **7. Approvals of Business Licence Application**

- 7.1 The Licensing Administrator shall review all Business Licence Applications before approval is granted.
- 7.2 Should a Business require, in the opinion of the Licensing Administrator, planning approval, such approval will be secured from the appropriate Development Authority prior to approval of the Business Licence Application.
- 7.3 Licensing Administrator may reject a Business License Application for the following:
- a) Failure to receive the proper planning approval;
  - b) Proposed Business is contrary to any Municipal, Provincial, or Federal regulation or statute;
  - c) Application is not accompanied by the appropriate License fee;
  - d) Applicant has an outstanding License fee from prior year(s).
- 7.4 The approval of a Business Licence in no way removes the responsibility of the Applicant to ensure that it will receive all other required approvals pursuant to any Municipal, Provincial, or Federal regulation or statute.
- 7.5 The Business Licence, once approved, must be placed in a conspicuous place within the Business that it is visible to customers or, if this is not feasible due to the type of Business, available for inspection by a Licence Inspector at any time that Business is Carrying On.
- 7.6 Should the Licensing Administrator refuse to grant a Business License, the Applicant must communicate in writing to the applicant the reasons for the decision.

## **8. Duration of a Business Licence**

- 8.1 All Licences issued under the provisions of this bylaw are valid for one (1) Business Licence Year (January 1 to December 31 of the same calendar year) unless:
- a) The Licence starts on any day after July 1 of any year, then the Licence fee will be one-half the normal rate for the first Business Licence Year only;
  - b) The Licence states otherwise;
  - c) The Licence has been cancelled or surrendered.
- 8.2 All Temporary Business Licences are valid for a specified duration of a given year unless the Business Licence is cancelled by the Licensing Administrator or CAO.

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## 9. Business Licence Fees

- 9.1 Business Licence fees are set out as per **Appendix A** of this bylaw.
- 9.2 If the fee for a Business Licence is not paid the Business Licence is not valid.
- 9.3 If the fee for a Business Licence is not paid within sixty (60) days of the Business Licence renewal notice invoice date, additional late charges per day will be applied over and above the Licence fee as per **Appendix A** of this bylaw.
- 9.4 All new Business Licence Applications must include the applicable Licence fee when the Application is submitted for approval to the Licensing Administration.
- 9.5 All Non-Local Businesses and Municipal District of Greenview Businesses doing Business in Town must pay a Business Licence for each year.
- 9.6 Where a Business Licence is cancelled, surrendered, or operation ceases, the Licensee is not entitled to a refund either in part or in whole.
- 9.7 If a Business Licence application is withdrawn prior to processing, the fee for the Business Licence will be refunded.
- 9.8 A Charitable or Non-Profit Organization may apply to the Licensing Administrator for an exemption from the Business Licence fee and the request must include a current copy of the Charitable or Non-Profit Organization status.

## 10. Business Licence Renewal

- 10.1 An invoice including the instructions for the renewal process shall go out to all Local and Non-Local Business Licensees to allow Business owners to renew their Business Licences and update information.
- 10.2 All Local and Non-Local Business renewals require confirmation that the Business still operates as previously identified.
- 10.3 Any Business operating in the Town without a valid Business Licence as of February 28 of a given year will be deemed inactive.
- 10.4 If a Business has been deemed inactive but is still operational, they are required to apply for a new Business Licence and is guilty of an offence as described within this bylaw.

## 11. Obligations of Business Licence Holder

- 11.1 A Business Licence must be posted in a conspicuous place on the Business Licence Premises so that it is visible to the customers of the Business.
- 11.2 If a Business Licence is lost or damaged, a new Business Licence may be issued, and an additional Licence fee will apply as per **Appendix A** of this bylaw for a Licence replacement.
- 11.3 A Business Licence must be produced for the Licence Inspectors' review upon request.
- 11.4 A Licensee must give access to the Premises specified in the Business Licence to the Licence Inspector subject to notice provisions contained within the *Act*.

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## 12. Other Businesses

### 12.1 Mobile Vendors

- a) Any Business operating as a Mobile Vendor within Town limits shall obtain a valid Business Licence as per **Appendix A** of this bylaw.
- b) Any Person Carrying On a Mobile Vendor Business shall:
  - i. Obtain a valid food handling permit, if a food Mobile Vendor, from Alberta Health Services and provide a copy of the same with their Application;
  - ii. Provide a schedule of prices for food and or admissions with their Application;
  - iii. Carry general commercial liability insurance of at least one million dollars (\$1,000,000.00) to operate a Mobile Vendor Business and provide a copy of the same with their Application;
  - iv. Maintain general commercial liability insurance policy noted in 12.1b) iii. above for life of the Licence and provide proof of same with their Application;
  - v. In absence of general commercial liability insurance as noted in 12.1b) iii. & iv. above, a Person may, with the approval of the CAO, provide a bond in the amount of one thousand dollars (\$1,000.00) and this shall be conditioned that the bond will be forfeited unless the schedule of prices as noted in 12.1b) ii are kept, and further, the loses or damages to which the Town may pay by reasons arising out of use of Public Place(s) by the Mobile Vendor Business, and that such bond shall remain in full force for the life of the Licence.
  - vi. Have fully charged fire extinguisher(s) accessible to the operator(s) and obtain fire inspection approval for the Mobile Vendor Business from the Valleyview Volunteer Fire Department.
  - vii. Provide garbage and recycling receptacles for customers to discard waste and other whatnots from the products sold;
  - viii. Comply with all applicable bylaws of the Town;
  - ix. Indemnify and save harmless the Town from any actions, claims, damage, or loss arising from the Mobile Vendor Business within the Town limits or anything undertaken or neglected to be undertaken in connection with this Business License and requirements.
- c) Mobile Vendors shall not:
  - i. Discharge fat or other waste products into the Town storm sewer system;
  - ii. Leave a Mobile Vendor unit unattended;
  - iii. Park on public property;
  - iv. Impede traffic and or pedestrians, endanger public safety, or cause an unwelcome disturbance;
  - v. Create a noise or pollution disturbance when operating Mobile Vendor generator system(s) for the unit(s);

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- vi. Operate on a public highway controlled by Alberta Transportation without written permission from Alberta Transportation and provide a copy of the same to the Town with their Application;
- vii. Leave a Public Place without first ensuring the area is free of debris associate with the Business;
- viii. Solicit or conduct business with Persons in motor vehicles;
- ix. Carry On illegal activity from the Mobile Vendor Business or in Town limits.
- d) The daily Licence fee as outlined in **Appendix A** from operations of Mobile Vendors for Town functions and services provided to Town residents shall be waived.

#### 12.2 Hawkers and Peddlers

- a) Any Person or Business operating as a Hawker and Peddler within Town limits shall obtain a valid Business Licence as per **Appendix A** of this bylaw.
- b) Any Person Carrying On as a Hawker and Peddler shall:
  - i. Not Carry On a Business on any Public Place unless expressed written permission has been obtained and granted.
  - ii. Carry a copy of the Business License with them at all times while they are Carrying On within the Town limits.
  - iii. Abide by this and all bylaws in force in the Town.
- c) Violations of any provision of this bylaw or complaints received by the Town will result in the Business License being revoked.

#### 12.3 Home-Based Business or Occupation

- a) Any Person or Business operating as a Home-Based Business or Occupation within the Town shall obtain a valid Business Licence as per **Appendix A** of this bylaw.
- b) Any Person or Business operating as a Home-Based Business or Occupation within the Town shall also obtain and submit with their Application, a valid development permit as issued under the provisions of the Town's Land Use Bylaw.
- c) Where a Home-Based Business or Occupation subject to licensing is Carrying On or is intended to be Carried On in more than one location, a Licence shall be required in respect of each location as though the Home-Based Business or Occupation Carried On in each as a separate Home-Based Business or Occupation.
- d) Violations of any provision of this bylaw or any complaints received by the Town as a result of the Home-Based Business or Occupation Carrying On within the Town limits is guilty of an offence as described within this bylaw and may result in the Business Licence being revoked.

### 13. General Provisions to All Business Licences

- 13.1 A Business Licence does not relieve the Licensee from the obligation to obtain any other permit, licence, or approval that may be required under another bylaw of the Town or any

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other governmental authority including any Statutes of Canada or the Province of Alberta that may apply.

- 13.2 All Business Licences granted by the Town are subject to the provisions of any land use or development regulations of the Town and issuance of a Licence shall not be deemed as approval to Carry On a Business in or on any Business location in contravention of the provisions in the Town's Land Use Bylaw.
- 13.3 A Person shall not obstruct or hinder any Person and or Licence Inspector in the exercise or performance of their powers pursuant to this bylaw and by doing so, this said Person is guilty of an offence as described within this bylaw.

#### **14. Transfer of a Business Licence**

- 14.1 Should a Business be sold to a new owner, the new owner may, with the current Business License holders written permission, apply for transfer of the Business License to the new owner's name. The new owner must submit their request in writing to the Licensing Administrator along with the permission letter and Licence transfer fee as defined in **Appendix A**.
- 14.2 Should a Business request to transfer a Mobile Vendor to a new owner, the new owner must comply with Section 12.1 of this bylaw, and provide the necessary documentation, including permission letter and Licence transfer fee, prior to issuance of the Business License.

#### **15. Business Licence Refusal, Revocation, or Imposing of Conditions**

- 15.1 The Licensing Administrator may impose conditions on or refuse to issue a Business Licence for the following reasons:
  - a) Has revoked or suspended a Business Licence of the Applicant for the same or a similar Business within the past twelve (12) months.
  - b) Has reasonable grounds to believe that the Applicant does not or will not comply with this bylaw, another bylaw of the Town, or an any Statute of Canada or the Province of Alberta in relation to the Carrying On of the Business.
  - c) Has reasonable and justifiable grounds for believing that issuing a Business Licence with respect to the proposed Business is not in the public interest.
- 15.2 At any time, the Licensing Administrator may impose conditions on a new or existing Business Licence in relation to the establishment or operation of the applicable Business;
- 15.3 A Licensing Administrator may revoke or suspend a Business Licence if:
  - a) The Business is operating in contravention of the issued Business Licence;
  - b) The Business Licence Application is untruthful or inaccurate; or
  - c) Payment of a Business Licence has not been received by the due date.



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## **16. Notice of Revocation or Suspension**

- 16.1 Upon a Business Licence being revoked or suspended as noted in Section 15 of this bylaw, the Licensing Administrator will notify the Licensee by:
- a) Delivery of a written notice to the Licensee personally; or
  - b) Mailing a written notice to the Licensee's place of Business or residence as shown on the Business Licence.
- 16.2 A notice of revocation or suspension of a Business Licence shall be deemed to be received on the date of service or seven (7) working days after the date it is mailed.
- 16.3 Upon delivery of notice of revocation or suspension of a Business Licence, a Person shall cease to Carry On the Business with respect to which the Business Licence was issued.
- 16.4 Where a Business Licence is revoked pursuant to Section 15 of this bylaw, the Licensee shall immediately:
- a) Return the Business Licence to the Licence Administrator; and or
  - b) Provide satisfactory proof to the Licence Administrator of renewal or reissue of any certificate, authority, Business Licence, or other document as referred to in Section 6 of this bylaw.

## **17. Nullification of Business Licence**

- 17.1 A Business Licence will be considered null and void where any certificate, authority, Business Licence, or other document under this or any other bylaw, or under any Statute of Canada or the Province of Alberta is suspended, cancelled, or terminated.

## **PART 3: APPEALS and ENFORCEMENT**

### **18. Right to Appeal**

- 18.1 The Applicant may file an appeal in every case where:
- a) An Application for a Business Licence has been refused; or
  - b) A Business Licence has been revoked or suspended; or
  - c) A condition has been imposed on a Business Licence.
- 18.2 The Applicant and or Person seeking the Business Licence may appeal to the CAO.
- 18.3 An appeal, as per Subsection 18.1, shall be made by the Applicant within thirty (30) days after such refusal, revocation, or suspension.
- 18.4 All appeals shall be made in writing with the applicable appeal fee (see **Appendix A**) and a copy of the Licensing Administrators notification and shall be addressed to the CAO.
- 18.5 After reviewing the appeal, the CAO shall:
- a) Direct a Business Licence to be issued or reinstated.

**BYLAW #:** 2024-04

**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
AND AMENDMENTS 1993-09, 2005-11

**EFFECTIVE DATE:** February 26, 2024

- b) Direct a Business Licence to be issued or reinstated with conditions.
- c) Refuse to grant a Business Licence.
- d) Uphold the revocation or suspension of a Business Licence.

18.6 The decision of the CAO is final and binding.

## 19. Penalties

- 19.1 Any Person or Business who contravenes, through direct action or omission, any of the provisions of this bylaw or who permits any act or thing to be done in contravention of any of the provisions of this bylaw, or who neglects or refrains from doing anything required by the provisions of this bylaw, or fails to comply with any order, notice, or direction given under this bylaw is guilty of an offence and liable to a fine.
- 19.2 Each day a violation is permitted to exist shall constitute a separate offence and each offense shall include those costs associated with the enforcement and prosecution of each offense.
- 19.3 In the case where the specific offense is related to the non-payment of the License fee established by this bylaw, the outstanding fee will, in addition to the penalties set out as per **Appendix B** of this bylaw, be required to be paid as part of penalty imposed.
- 19.4 Where the Licence Inspector believes that a Person has contravened this bylaw, they may issue a Violation Ticket in accordance with the *Provincial Offences Procedure Act*, RSA 2000, c. p-34 and amendments thereto.
- 19.5 Where there is a specified penalty listed for an offence as per **Appendix B** of this bylaw, that amount is the specified penalty for the offence.
- 19.6 Where a penalty has not been specified in **Appendix B**, a fine of \$250.00 for a first offence and \$1,000.00 for each subsequent offence shall be issued for contravention of this bylaw.
- 19.7 The provisions of this Section shall not prevent any Licence Inspector from issuing a Violation Ticket requiring court appearance of a Person in violation of this bylaw pursuant to the *Provincial Offences Procedure Act*, RSA 2000, c. p-34 and amendments thereto.
- 19.8 Any Person who is convicted of an offence pursuant to this bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 and in default on payment of any fine imposed, to imprisonment for up to 6 months.
- 19.9 If a Municipal Tag has been issued, and the specified penalty on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the Person whom the Municipal Tag was issued.

## 20. Appointment of Licensing Administrator and Licence Inspector

- 20.1 The CAO shall appoint a Licensing Administrator and a Licence Inspector to carry out the provisions of this bylaw.



## BUSINESS LICENCE BYLAW

**BYLAW #:** 2024-04

**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
AND AMENDMENTS 1993-09, 2005-11

**EFFECTIVE DATE:** February 26, 2024

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### **PART 4 – GENERAL**

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#### **21. Severability**

All sections of this bylaw are separate and severable. Should any section or part of this bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

#### **22. Repeal**

This bylaw repeals Business License Bylaw 87-17 and all amendments including 1993-09 and 2005-11 are also hereby repealed.

#### **23. Coming Into Force**

This Bylaw comes into force and effect on the day it is passed.

**READ A FIRST TIME ON** \_\_\_\_\_

**READ A SECOND TIME ON** \_\_\_\_\_

**READ A THIRD TIME AND PASSED ON** \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CAO

\_\_\_\_\_  
DATE



## BUSINESS LICENCE BYLAW

**BYLAW #:** 2024-04

**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
AND AMENDMENTS 1993-09, 2005-11

**EFFECTIVE DATE:** February 26, 2024

### APPENDIX A

#### BUSINESS LICENCE FEES and CHARGES

Applicant	Fee or Charge
All Resident and Municipal District of Greenview Businesses	\$100.00 per annum
Non-Resident or Non-Local Businesses	\$250.00 per annum
Mobile Vendor	\$25.00 / \$100.00 per day / per week
Hawkers and Peddlers	\$25.00 / \$100.00 per day / per week
Non-Resident Home-Based Business or Occupation	\$25.00 / \$100.00 per day / per week
Per Section 6.7: Default Charges	\$5.00 per day
Per Section 9.3: Late Charges	\$5.00 per day
Per Section 11.2: Licence Replacement Fee	\$40.00 per event
Per Section 14.1: Licence Transfer Fee	\$40.00 per event
Per Section 18.4: Appeal Fee	\$50.00 per event

## BUSINESS LICENCE BYLAW

**BYLAW #:** 2024-04

**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
AND AMENDMENTS 1993-09, 2005-11

**EFFECTIVE DATE:** February 26, 2024

### APPENDIX B

#### PENALTIES

Bylaw Section(s)	Offence	Municipal Tag	Violation Ticket
4.1	Carry On a Business without a valid Town Licence	\$500.00	\$1,000.00
4.2	Operate separate Business without a Licence for each location	\$500.00	\$1,000.00
6.4	Failure to disclose information regarding Business	\$250.00	\$500.00
6.5	Gives false information on Licence Application	\$250.00	\$500.00
6.6	Failure to provide a valid development or safety codes permit	\$250.00	\$500.00
6.7	Failure to furnish information regarding Business to Licence Inspector	\$250.00	\$500.00
10.4	Fail to renew Business Licence but continue to be operational	\$250.00	\$500.00
11.1	Failure to place Licence in conspicuous / visible place within Business	\$250.00	\$500.00
11.3	Failure to produce Licence to Licence Inspector upon request	\$250.00	\$500.00
12.1 a)	Mobile Vendor: fail to obtain a Business Licence	\$250.00	\$1,000.00
12.1 b)	Mobile Vendor: fail to obtain required proper permits, insurance, location, equipment	\$250.00	\$1,000.00
12.1 c) viii.	Mobile Vendor: Carries On an illegal activity(ies)	\$250.00	\$500.00
12.2 a)	Hawkers and Peddlers: fail to obtain a Business Licence	\$250.00	\$500.00
12.2 b) i.	Hawkers and Peddlers: fail to get permission to set-up in a Public Place	\$250.00	\$500.00
12.3 a)	Homebased Business or Occupation: fail to obtain a Business Licence	\$250.00	\$500.00





## BUSINESS LICENCE BYLAW

**BYLAW #:** 2024-04

**AUTHORITY:** COUNCIL

**SUPERSEDES:** BUSINESS LICENSE BYLAW 87-17,  
AND AMENDMENTS 1993-09, 2005-11

**EFFECTIVE DATE:** February 26, 2024

12.3 d)	Home-Based Business or Occupation: causes a nuisance within Town limits	\$250.00	\$1,000.00
13.3	Obstruct or hinder any Person / Licence Inspector while exercising their duties	\$500.00	\$1,000.00
16.3	Carry On a Business when revoked or suspended	\$250.00	\$500.00
19.3	Non-payment of Licence fee	\$250.00	\$500.00
19.6	For any offence for which a penalty is not established in Appendix B	\$250.00	\$1,000.00



**BUSINESS LICENSE-AMEND # 1987-17**

**BYLAW # 2005-11**

**AUTHORITY: Mayor & Council**

**APPROVAL: DECEMBER 12<sup>th</sup>, 2005**

**EFFECTIVE DATE: DECEMBER 12<sup>th</sup>, 2005**

**OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA**

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**BUSINESS LICENSE BYLAW # 2005-11**

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BENG a Bylaw of the Town of Valleyview to amend Bylaw #87-17 to provide for the licensing and regulation of certain business, occupations and property within the Town of Valleyview.

**WHEREAS** it is deemed expedient to amend Bylaw #87-17.

**NOW THEREFORE** under the authority and subject to the provisions of the Municipal Government Act Chapter M-26, Revised Statutes of Alberta 2000, the Council of the Town of Valleyview duly assembled, enacts that Bylaw #87-17 be amended as follows:


**Section 7 License Fee**

- (2) (a) The license fee for all Town and Municipal District of Greenview #16 resident businesses excluding the Town of Fox Creek shall be \$75.00 per annum
- (b) The license fee for all non-resident businesses shall be \$250.00 per annum
- (c) The license fee for all non-residents home occupations daily use shall be \$60.00 per day

READ a first time this 12<sup>th</sup> day of December 2005.

READ a second time this 12<sup>th</sup> day of December 2005.

READ a third time this 12<sup>th</sup> day of December 2005.

  
MAYOR

  
DIRECTOR OF ADMINISTRATION



## BUSINESS LICENSE

BYLAW # 87-17

AUTHORITY: Mayor & Council

APPROVAL: NOVEMBER 25<sup>th</sup>, 1987

EFFECTIVE DATE: NOVEMBER 25<sup>th</sup>, 1987

OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA

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### BUSINESS LICENSE BYLAW # 1993-09

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BEING A BY-LAW OF THE TOWN OF VALLEYVIEW TO PROVIDE FOR THE LICENSING AND REGULATION OF CERTAIN BUSINESS, OCCUPATIONS AND PROPERTY WITHIN THE TOWN OF VALLEYVIEW

*The Municipal Council of the Town of Valleyview hereby ENACTS AS FOLLOWS:*

#### Title

This By-Law may be cited as the

### BUSINESS LICENSE BY-LAW

#### Definitions

In this By-Law unless the context otherwise requires:

**"Act"** means the Municipal Government Act, Chapter M26, R.S.A., 1980 as amended or replaced from time to time;

**"applicant"** means a person who applies for a license or a renewal of a license required by this By-Law;

**"business"** means any business, occupation, activity, amusement, entertainment, trade, employment, profession or calling;

**"carry on"** means carry on, operate, perform, keep, hold, occupy, deal in or use, for gain, whether as principal or agent;

**"charitable or non-profit organization"** means a person, association of persons, or a corporation, acting for charity or in the promotion of general social welfare which cannot at any time distribute any dividend or profit to its members and includes:

a religious society or organization,  
a service club,  
a community, veterans' or youth organization,  
a social, sport or fraternal organization or club,  
an employees' or employees' organization,

**"Development Officer"** means the Town's appointed officer with the control and management of the Planning By-Laws:

**"Council"** means the Municipal Council of the Town of Valleyview;

instance and



**“Hawker or Pedlar”** means a person not being a body corporate and who whether as principle agent or not, or principle or agent:

goes from house to house selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise with a permanent place of business in the Town of Valleyview;  
offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the Town of Valleyview;  
sells merchandise on the streets or roads or elsewhere than at a building that is his permanent place of business;

But does not include a person selling

meat, fruit, or another farm produce that has been produced, raised or grown by himself, or  
fish of his own catching.

**“License”** means a license granted by the Town of Valleyview entitling the person to whom it is granted to carry on an activity therein specified in the Town of Valleyview. The said License shall be in the form of a written permit and showing thereon the type of business engaged in,

**“Licensee”** means a person holding a valid and subsisting license issued pursuant to the provisions of this By-Law;

**“License Inspector”** means the person so designated herein and includes any inspector designated by the Council to perform such duties, and anyone acting or authorized to act on his behalf, including any member of the Royal Canadian Mounted Police in the enforcement of this By-Law;

**“home occupation”** means any person, firm or corporation carrying on any business from a residence within the Town of Valleyview;

**“motor vehicle”** means an automobile, truck or motorcycle;

**“non-resident”** means any person including hawkers and pedlars, who do not permanently reside or have a place of business in the Town of Valleyview;

**“person”** means a natural person or a body corporate and includes a partnership, a group of persons acting in concert or an association unless the context explicitly or by necessary implication otherwise requires;

**“Planning By-laws”** means Land Use By-Law No. 86-6 as amended or replaces and all other statutory plans and by-laws as have been made or may be passed by the Town;

**“Police”** means any member of the R.C.M.P., or any Peace Officer, or By-law Enforcement Officer, appointed by the Town of Valleyview;

**“premises”** includes the store, office, warehouse, factory, building, enclosure, yard or other place occupied, or capable of being occupied, by any person for the purpose of any business;

**“resident”** means any person, firm or corporation who does permanently resides or have a place of business in the Town of Valleyview and the license shall authorize the licensee to carry on the licensed business only in or upon the premises designated in such license.

stance and



## BUSINESS LICENSE

"Town" means the Town of Valleyview, a municipal corporation of the province of Alberta, and where the context so requires means the area contained within the corporate boundaries of the said municipality.

### APPOINTMENT OF LICENSE INSPECTOR

---

The Council shall appoint a License Inspector and such assistants as may be required to carry out the terms of this By-law, and should no appointment occur then the Town Manager shall automatically be the License Inspector.

### POWER AND DUTIES

---

The powers and duties of the License Inspector are:

to receive and deal with all applications for licenses and transfers thereof including the collection of money payable under this By-law;

to ascertain that all information furnished by an applicant in connection with an application for a license or transfer of a license is true in substance and in fact;

to prosecute violations and infractions of this By-law;

### NECESSITY OF LICENSE

---

No person shall within the Town:

carry on or operate any of the businesses, callings, trades or occupations referred to in this By-law; or

carry on any undertaking, do any act, or use or have any article for which a license is required;

unless he holds a valid license from the Town of Valleyview obtained in accordance with the provisions of the By-law.

See Amendment

Any advertising of the businesses, callings, trades or occupations shall be deemed to be prima facie proof of the fact that the person advertising is carrying on or operating any such business, calling, trade or occupation.

Any person engaged in or carrying on one or more business either separately or together, shall pay a license for each business carried on.

### DURATION

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Every license issued under the provisions of the By-law shall terminate at midnight on the 31<sup>st</sup> day of December of the year in which said license was issued unless:

the license provides otherwise; or

the license has been sooner cancelled or forfeited.

substance and





## LICENSE FEE

---

No Person shall carry on or operate any business, calling, trade or occupation within or partly within the Town without first paying to the License Inspector the license fee prescribed in the By-law.

- a) The license fee for all Town and Improvement District #16 resident businesses excluding the Town of Fox Creek shall be \$30.00 per annum

The license fee for all non-resident businesses shall be \$200.00 per annum for non- food.

The license fee for all non-resident businesses shall be \$150.00 per annum for food.

The license fee for all non-resident home occupations daily use shall be \$50.00 per day

See Amendment

Where a fee required had been paid by the tender of an uncertified cheque, the license:

is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made by the license; and

is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

- a) The license Inspector may, after July 1<sup>st</sup> of any license year, issue a license for a newly established or starting business, for one half the annual fee set out in subsection (1) hereof.

Should the business be established before July 1<sup>st</sup>, of the year, and the person applied for a license or is issued a license after July 1<sup>st</sup>, the business will still be subject to the entire annual license fee.

Where a license is surrendered or revoked, the Town shall refund to the licensee, prior to July 1<sup>st</sup>, one half the annual fee therefor, but this provision shall not apply to any license issued for a period of less than the full license year.

## EXEMPTIONS - Deleted

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All charitable or Non-Profit Organizations shall be exempt from the provisions of this By-law and no Business License shall be deemed to be necessary.

## APPLICATION

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An applicant for a license shall make application to the License Inspector furnishing such information as the License Inspector may from time to time require, including:

every Federal or Provincial Certificate, authority, license or other document or qualification that may be required in connection of this carrying on of a business;

a Provincial License where required under any Provincial Act;

any certificate of other approval required by any provision of this By-law in respect of the business;

bs-tance and





## BUSINESS LICENSE

the license fee payable in respect of the business as set out in this By-law.

An application for license for any business or occupation of a type mentioned in this By-law shall be made jointly by all the persons who will actively be engaged in the management and control of the business and those persons only. If, in the course of any license year, additional persons are added to those sharing the management and control of the licensed operation, then the additional names shall be forthwith given to the License issuer. Failure to disclose to the Town any of the information required shall be grounds for immediate cancellation of the license if issued and forfeiture of any fee paid for the license.

A person carrying on or engaged in any such business who fails to furnish the requested information within 10 days from the date on which the request is made is guilty of an offence and liable to a fine of not more than \$5.00 for every day during which the default continues.

### HOME OCCUPATIONS

No License shall be issued for a home occupation until the applicant is in possession of a valid development permit issued under the provisions of the Town's Land Use By-law.

Where a business subject to licensing is carried on or intended to be carried on in more than one location, a license shall be required in respect of each place as though the business carried on in each were a separate business.

### CIRCUSES, MIDWAYS, ETC.

Before the License Inspector shall issue a license to any person or persons with transient trader or hawker or pedlar status in respect to any of the following:

circuses, carnivals, midways, dare-devil exhibitions, stampedes, menageries, shooting galleries, or any similar shows.

the applicant or applicants for such license shall execute a premises, property and operations general liability policy to be with an insurance company approved by the Town Manager, the sum of at least one million dollars (\$1,000,000.00) or file proof that a policy in this amount is carried, such policy to remain in force during the life of the license.

And provided that no license shall be issued until a schedule or prices of admission and food is filed and a bond in the amount of one thousand (\$1,000.00) dollars is lodged with the Town Manager. This shall be conditioned that the bond will be forfeited unless the schedule prices are kept, and further, the loses or damages to which the said Town be put or may pay by reason arising out of use of the grounds by the circuses or midway, dare-devil exhibition, carnival, stampede, shooting gallery etc., such bond remains in force during the life of the license.

The daily license fee required from operations of midways, dare-devil exhibitions or other similar shows as listed under section 11b shall be waived for functions of any service club of the Town of Valleyview.

stance and



## COMPLIANCE

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Whenever an applicant for a license has complied with the terms of this By-law and of any other By-law applicable, he shall be entitled to the license applied for upon payment of the proper fee.

The License Inspector may issue a business license subject to certain conditions but where the License Inspector issues a license, subject to certain conditions, he shall endorse on the license the particulars of such conditions.

## APPEAL

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Where an applicant for a license or for a transfer of a license has been refused or has been authorized subject to conditions, the applicant may appeal to the Council.

After hearing the applicant and the evidence adduced, the Council may confirm such refusal or conditional approval or may direct that the license be issued either conditionally or unconditionally as may be deemed expedient in the public interest, and the decision of the Council is final.

Every such appeal shall be made in writing within thirty (30) days after a license has been refused or revoked, otherwise the right of appeal shall be barred and extinguished.

## PRODUCTION

---

Every licensee who holds a license under this By-law which is not limited to specific premises, shall, so long as the license is in force, have immediately available the license or duly authorized copy thereof and such license shall, upon request, forthwith produce same to a Police Officer, a License Inspector, or any person with whom he is doing business to which the license relates.

## INSPECTION

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Where a business involves the occupations of a specific building or a specific location and such business is reasonably believed to require a license under this By-law a Police Officer, a License Inspector or any other authorized person may inspect the building or location for any purpose under this By-law at all reasonable times during the license year.

## REVOCATION AND REFUSAL

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Where, on inspection, a business which is subject to an inspection by or on behalf of the Medical Officers of Health is found to contravene any provisions of the Public Health Act R.S.A. ch. P27 1980 and any regulations made hereunder, and amendments or substitutions therefor or any Town By-law respecting health, the Medical Officer of Health may revoke the license in respect thereof.

Where on inspection, a business which is subject to an inspection by or on behalf of the Fire Marshall or the Development Officer is found to contravene the provisions of:

The Fire Prevention Act R.S.A. ch. F101 1980 or as amended or replaced from time to time;

The Planning Act R.S.A. ch. P9 1980 or a Planning By-law as replaced or amended from time to time;

Distance and





## BUSINESS LICENSE

The Fire Chief or the Development Officer shall report the contravention to the License Inspector who may revoke the license therefor.

The License Inspector may revoke or refuse to grant any license on any grounds which, in his opinion, are just and reasonable.

Upon a license being revoked as herein before provided, the License Inspector shall notify the licensee thereof:

by delivering a notice to him personally; or

by mailing a double registered letter to his place of business or residence as shown on his license, and shall have been deemed to have been received five days after date mailing;

and after the delivery or deemed receipt of such notice his business or occupation, as the case may be, shall not be carried on until such time as a new license is issued.

### PENALTY

Any person contravening any provision of this By-law shall be liable upon conviction therefor to a fine of not less than \$250.00 and not more than \$1,000.00 exclusive of costs, and in case of non-payment of the fine and costs so imposed, the person shall be imprisoned for a period of time not to exceed six months unless the fine and costs including the cost for committal are sooner paid.

Where the offence is non-payment of any license fee payable hereunder, the conviction Provincial judge may adjudge payment thereof in addition to the fine imposed.

As an alternative to subsection 1 of this section, the License Inspector may enforce the provisions of this By-law and may issue a ticket to any person alleged to have committed one or more breaches of the By-law. The ticket shall state the alleged offence and require forfeiture and payment of the appropriate fine as follows:

a penalty equivalent to twice the applicable license fee shall be levied against and paid by any person who commits a breach of any of the provisions of this By-law;

a penalty equivalent to three times the applicable license fee shall be levied against and paid by any person who commits for a second time a breach of provisions of this By-law provided the offence is committed within twelve (12) months of the committing of the first offence;

a penalty equivalent to four times the applicable license fee shall be levied against and paid by any person who commits for a third time or time in excess of three (3) a breach of any of the provisions of this By-law provided the offence is committed within twelve (12) months of the committing of the first offence.

An Offence ticket may be issued by personally serving it upon the alleged offender or by leaving it at the residence of the alleged offender or by sending it to the alleged offender by single registered mail.

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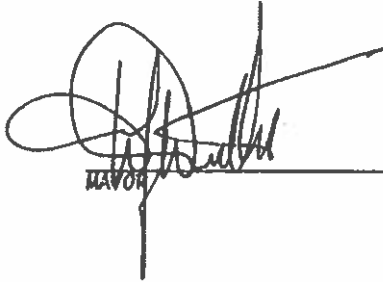
BUSINESS LICENSE

(18) By-Law 87-17 supercedes By-Law 86-3 and Shall come into effect on the final reading.

READ a first time this 25th day of NOVEMBER A.D., 1987

READ a second time this 9th day of DECEMBER A.D. 1987

Read a third and final time this 9th day of DECEMBER A.D. 1987

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
MUNICIPAL SECRETARY





BYLAW # 1993-09

AUTHORITY: Mayor & Council

APPROVAL: OCTOBER 13<sup>th</sup>, 1993

EFFECTIVE DATE: OCTOBER 13<sup>TH</sup>, 1993

OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA

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### BUSINESS LICENSE BYLAW # 1993-09

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Being a By-Law of the Town of Valleyview to amend By-Law 87-17 Licensing and Regulations to address Charitable or Non-Profit Organizations obtaining a business license.

**WHEREAS** it is deemed expedient to amend By-Law 87-17.

**NOW THEREFORE** under the authority and subject to the provisions of the Municipal Government Act RSA 1980, the Council of the Town of Valleyview duly assembled, enacts that By-Law 87-17 be amended as follows:

Add to Page 3 Section #5.1 (c) "Canvass on behalf of a registered Charitable or Non-Profit Organizations.  
Add to page 3 Section #7.2 (e) "In the case of a group falling under section 5.1 (c) no fee will be charged.  
Delete page 4 Section #8 "Exemptions" in its entirety.

READ a first time this 13<sup>th</sup> day October 1993, A.D.

READ a second time this 13<sup>th</sup> day October 1993, A.D.

READ a third time this 13<sup>th</sup> day October 1993, A.D.

  
MAYOR

  
MUNICIPAL SECRETARY



## Town of Valleyview Request For Decision

**Date:** February 26, 2024

**From:** Ben Berlinguette, Chief Administrative Officer

**Subject:** 2024-05 Council Code of Conduct Bylaw

### 1.0 PURPOSE

To seek Council's approval for third reading of 2024-05 Council Code of Conduct Bylaw.

### 2.0 BACKGROUND AND DISCUSSION

The Town of Valleyview's current Council Code of Conduct Bylaw (2023-13) requires further updating to reflect Alberta Regulation, 200/2017, the *Code of Conduct for Elected Officials Regulation* (Regulations) and as recommended by our Municipal legal team.

2024-05 Council Code of Conduct Bylaw includes the following revisions:

1. Definitions: Added – Bias, Bullying, Conflict of Interest, Council, Councillor, Elected Official, Harassment, Mayor, Person, Social Media, Town, Violence.
2. Sections: Added – 12. Use of Social Media.
3. Subsections: Added – 3.2 "... each Member must ... at Council meetings, at committee, commission and or Board meetings, in closed session meetings, and while in public but, does not include with limitations, pecuniary or Conflicts of Interest ..."; 3.3 "This Bylaw is to be given board and liberal interpretation ..."; 3.4 "All Members shall comply ..."; 3.4 "... applies to all forms of communication.: 4.5 "Commit to discourage behaviours that create an unproductive or negative environment ..."; 10.4 "... avoid any situation which may result in a Conflict of Interest or result in circumstances of either actual Bias or an apprehension of Bias."
4. Renumbering of sections / subsections due to additions noted above in 2. and 3.
5. Current Bylaw 2023-13 and all amendments to be repealed.

Revisions reflected within the Town of Valleyview's 2024-05 Council Code of Conduct Bylaw were based on the review of other Council Code of Conduct Bylaws including the City of Grande Prairie, the Municipal District of Greenview, and the Towns of Stony Plain and Barrhead.

### 3.0 ALTERNATIVES

- 3.1 Council gives third reading of 2024-05 Council Code of Conduct Bylaw.
- 3.2 Council moves to further amend 2024-05 Council Code of Conduct Bylaw and gives third reading of 2024-05 Council Code of Conduct Bylaw.

- 3.3 Council accepts this RFD "2024-05 Council Code of Conduct Bylaw" as information only at this time.

#### **4.0 FINANCIAL IMPLICATIONS**

None.

#### **5.0 ATTACHMENTS**

- 5.1 Bylaw: 2024-05 Council Code of Conduct Bylaw  
5.2 Current Bylaw: 2023-13 Council Code of Conduct Bylaw dated December 11, 2023

#### **6.0 RECOMMENDATIONS**

Council gives third reading of 2024-05 Council Code of Conduct Bylaw.

Submitted By:   
Ben Berlinguette, Chief Administrative Officer



## COUNCIL CODE OF CONDUCT BYLAW

BYLAW #: 2024-05

AUTHORITY: COUNCIL

SUPERSEDES: COUNCIL CODE OF CONDUCT  
BYLAW 2023-13

EFFECTIVE DATE: February 26, 2024

### A BYLAW OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL.

**WHEREAS**, pursuant to Section 146.1(1) of the *Municipal Government Act*, a Council must, by Bylaw, establish a code of conduct governing the conduct of Councillors;

**AND WHEREAS**, pursuant to section 153 of the *Municipal Government Act*, Councillors have a duty to adhere to the code of conduct established by the Council;

**AND WHEREAS**, the public is entitled to expect the highest standards of conduct from the members that it elects to Council for the Town of Valleyview;

**AND WHEREAS**, the establishment of a code of conduct for members of Council is consistent with the principles of transparent and accountable government;

**AND WHEREAS**, a code of conduct ensures that members of Council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of Councillors;

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA DULY ASSEMBLED, ENACTS AS FOLLOWS:**

#### 1. Short Title

This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.

#### 2. Definitions

In this Bylaw, words have the meanings set out in the *Act*, except that:

- 2.1 “**Act**” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- 2.2 “**Administration**” means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- 2.3 “**Bias**” means common law Bias and includes situations where a Member has prejudged a matter to be decided to the extent of that Person being no longer capable of persuasion. In situations where the Member is engaged in a “quasi-judicial” function or role, Bias will also include situations where the Member may be perceived as being incapable of deciding the matter fairly. Situations leading to a reasonable perception of Bias includes the following:
  - a) Relationships with individuals involved in the matter: Where the Member has a “sufficiently close” personal relationship with someone who has a direct interest in

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AUTHORITY: COUNCIL

SUPERSEDES: COUNCIL CODE OF CONDUCT  
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EFFECTIVE DATE: February 26, 2024

the outcome of the decision, that relationship may give rise to a “reasonable apprehension of Bias”;

- b) Outside knowledge or involvement with the matter: Primary concern in this scenario is that the Member will be unable to avoid making use of information that they obtained outside the hearing thereby violating the rule that all parties “must know the case to be met” and be given full opportunity to respond to all relevant information that may form the basis of the Members decision; or
  - c) Inappropriate comments, activity, or behaviour: If a Member makes any comments or engages in any activity or behaviour which is consistent with the Member being perceived by a “reasonable Person” as not being impartial, this may result in a finding of Bias.
- 2.4 **“Bullying”** means repeated and hostile or demeaning behaviour by an individual, either directly or through any medium whatsoever, where the behaviour results in harm, fear, or distress to one or more individuals in the Municipality including, but not limited to, physical harm, psychological harm, or harm to an individual’s reputation and the determination of whether behaviour is Bullying will be determined based on what a “reasonable Person” would perceive to be Bullying;
- 2.5 **“CAO”** means the chief administrative officer of the Municipality, or their delegate;
- 2.6 **“Conflict of Interest”** means a situation where the personal or private interest of a Member may actually influence, or may be perceived as influencing, the Member on a matter of public interest that is before Council, including situations which may result in Bias. A Conflict of Interest situation may also include using:
- a) The influence of the position of the Member;
  - b) Confidential information;
  - c) The services of Administration; or
  - d) Town assets or services; for
- the actual or expected Personal or private gain or advancement of the Member.
- Further, a Conflict of Interest situation may include the use of the influence of a Member to advance the specific interests of family members, friends, neighbours, business associates or other associates of a Member.
- 2.7 **“Council”** means the Council of the Town and includes the Mayor and Councillors as Elected Officials;
- 2.8 **“Councillor”** means an Elected Official of the Council of the Town but does not include the Mayor;
- 2.9 **“Elected Official”** means a duly elected member of Council for the Town;
- 2.10 **“FOIP”** means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- 2.11 **“Harassment”** includes, but is not limited to:



## COUNCIL CODE OF CONDUCT BYLAW

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- a) Written or verbal comments, Social Media posts, actions, gestures, or other behaviours that are humiliating, offensive, hurtful, or belittling;
  - b) Intimidation;
  - c) Bullying;
  - d) The abuse of authority;
  - e) The deliberate exclusion of a Member or Administration from relevant work activities or decision making;
  - f) An attempt to discredit a Member or Administration by spreading false information about them; and
  - g) Sexual Harassment, whether implicit or explicit, meaning unwanted sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature.
- 2.12 **“Investigator”** means Council or the individual or body established by Council to investigate and report on complaints;
- 2.13 **“Mayor”** means the chief Elected Official of the Town, whether elected or appointed, pursuant to the *Act*;
- 2.14 **“Member”** means a member of Council and includes a Councillor or the Mayor;
- 2.15 **“Municipality”** means the municipal corporation of the Town of Valleyview;
- 2.16 **“Person”** means, without limiting the generality of the term, any individual or any business entity including, but not limited to, a firm, partnership, association, corporation, society, or legal entity;
- 2.17 **“Social Media”** refers to freely accessible, third-party hosted, interactive web-based technologies used to produce, post, and interact through text, images, video, and audio to inform, share, promote, collaborate, or network;
- 2.18 **“Town”** means the Town of Valleyview;
- 2.19 **“Violence”** means the threatened, attempted, or actual conduct of a Person that causes, or is likely to cause, physical injury, whether it occurs at the workplace or is work-related.

### 3. Purpose & Application

- 3.1 The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.
- 3.2 Each Member must comply with and uphold this Bylaw when carrying out the Members duties as Mayor or Councillor including during the Members attendance at Council meetings, at committee, commission and or Board meetings, in closed session meetings, and while in public thus, Members are always a Mayor or a Councillor while in attendance at Council meetings and closed session meetings, and while in public; Additionally, Members cannot use statements or phrases indicating otherwise (i.e., I am a Person at large, I am a rate payer,





## COUNCIL CODE OF CONDUCT BYLAW

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I am a public Person, I personally don't support that etc.), any other statement that indicates that they is not a Councillor.

- 3.3 This Bylaw is to be given a broad and liberal interpretation in accordance with applicable legislation. It will not cover every possible conduct scenario and, therefore, all Members shall be guided by and must conduct themselves in a manner that reflects the spirit and intent of this Bylaw.
- 3.4 All Members shall comply with the standards of conduct outlined in this Bylaw.
- 3.5 This Bylaw applies to all forms of communication.

#### 4. Representing the Municipality

Members shall at all times:

- 4.1 Act honestly and in good faith, serve the welfare and interests of the Municipality as a whole;
- 4.2 Perform their functions and duties in a conscientious and diligent manner with integrity, accountability, and transparency;
- 4.3 Conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
- 4.4 Arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.
- 4.5 Commit to discourage behaviours that create an unproductive or negative environment in the workplace and within the Municipality including, but not limited to, acts and or threats of Violence and Harassment and additionally, will adhere to all regulations and policies pertaining to acts and or threats of Violence and Harassment at all government (Federal, Provincial, Municipal), regulatory (i.e., Alberta & Canadian Human Rights), and *Acts* (i.e., Individual Rights Protection, OHS) levels.

#### 5. Communication on Behalf of the Municipality

- 5.1 A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2 Unless Council directs otherwise, the Mayor is Council's official spokes Person and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokes Person.
- 5.3 A Member who is authorized to act as Council's official spokes Person must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member Personally disagrees with Council's position.
- 5.4 No Member shall make a statement when they know that statement is false.
- 5.5 No Member shall make a statement with the intent to mislead Council or the public.



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### 6. Respecting the Decision-Making Process

- 6.1 Decision making authority lies with Council, and not with any individual Member. Council may only act by Bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality, or give direction to employees in Administration, agents, contractors, consultants, or other service providers or prospective vendors to the Municipality.
- 6.2 Members shall conduct and convey Council business and all their duties in an open and transparent manner other than those matters which by law are authorized to be dealt with in a confidential manner (in-camera session), and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

### 7. Adherence to Policies, Procedures, and Bylaws

- 7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the Bylaws, policies and procedures adopted by Council.
- 7.2 Members shall respect the Municipality as an institution, its Bylaws, policies, and procedures and shall encourage public respect for the Municipality, its Bylaws, policies, and procedures.
- 7.3 A Member must not encourage disobedience of any Bylaw, policy, or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

### 8. Respectful Interactions with Council Members, Staff, the Public and Others

- 8.1 Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
- 8.2 Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity, and respect and without abuse, bullying or intimidation.
- 8.3 No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.
- 8.4 No Member shall speak in a manner that is discriminatory to any individual based on the Person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.



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- 8.5 Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
- 8.6 Members must not:
- Involve themselves in matters of Administration, which fall within the authority of the CAO.
  - Use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any employee of the Municipality with the intent of interfering in the employee's duties.
  - Use, or attempt to use, their authority or influence for the purpose of directing the operations of the Municipality with the intent of interfering with the operations of the Municipality.
  - Maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

### 9. Confidential Information

- 9.1 Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 9.2 No Member shall use confidential information for Personal benefit or for the benefit of any other individual organization.
- 9.3 In the course of their duties, Members may also become privy to confidential information received outside of an "in-camera" meeting. Members must not:
- Disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
  - Access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council Bylaws and policies;
  - Use confidential information for Personal benefit or for the benefit of any other individual or organization.
- 9.4 Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality,



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and is generally considered to be of a confidential nature, including but not limited to information concerning:

- a. The security of the property of the Municipality;
- b. A proposed or pending acquisition or disposition of land or other property;
- c. A tender that has or will be issued but has not been awarded;
- d. Contract negotiations;
- e. Employment and labour relations;
- f. Draft documents and legal instruments, including reports, policies, bylaws, and resolutions, which have not been the subject matter of deliberation in a meeting open to the public;
- g. Law enforcement matters;
- h. Litigation or potential litigation, including matters before administrative tribunals;
- i. Advice that is subject to solicitor-client privilege.

### 10. Conflicts of Interest

- 10.1 Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the *Act*, and a corresponding duty to vote unless required or permitted to abstain under the *Act* or another enactment.
- 10.2 Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
- 10.3 Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4 Members shall avoid any situation which may result in a Conflict of Interest or may result in circumstances of either actual Bias or an apprehension of Bias.

### 11. Improper Use of Influence

- 11.1 No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.

### 12. Use of Social Media

- 12.1 Members shall act with discretion and exercise caution with respect to all material they post on Social Media and shall follow Council policies and procedures as applicable.

### 13. Use of Municipal Assets and Services

- 13.1 Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following exceptions:



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- a. Municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for Personal use upon the same terms and conditions as members of the general public including booking and payment of any applicable fees or charges;
  - b. Electronic communication devices including, but not limited to, desktop computers, laptops, tablets, and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for Personal use, provided that the use is not for Personal gain, offensive or inappropriate.

### 14. Orientation and Other Training Attendance

- 14.1 Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
- 14.2 Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.
- 14.3 Members are stewards of public resources and shall avoid waste, abuse, and extravagance in the use of public resources.
- 14.4 Members shall be transparent and accountable with respect to all expenditures and comply with all municipal Bylaws, policies, and procedures regarding claims for remuneration and expenses.
- 14.5 Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

### 15. Informal Complaint Process

- 15.1 Any Person or Member who has identified or witnessed conduct by a Member that the Person or Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
  - a. Advising the Member that the conduct violates this Bylaw and encouraging the Member to stop;
  - b. Requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the Person may request the assistance of the Deputy Mayor.
- 15.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined in section 16. Formal Complaint Process.





## COUNCIL CODE OF CONDUCT BYLAW

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### 16. Formal Compliant Process

16.1 Any Person who has identified or witnessed conduct by a Member that the Person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:

- a. All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
- b. All complaints shall be addressed to the Investigator;
- c. The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
- d. If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
- e. Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for investigating, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- f. If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- g. If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- h. A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- i. A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

### 17. Compliance and Enforcement

17.1 Members shall uphold the letter and the spirit and intent of this Bylaw.





## COUNCIL CODE OF CONDUCT BYLAW

**BYLAW #:** 2024-05

**AUTHORITY:** COUNCIL

**SUPERSEDES:** COUNCIL CODE OF CONDUCT  
BYLAW 2023-13

**EFFECTIVE DATE:** February 26, 2024

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- 17.2 Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 17.3 No Member shall:
- a. Undertake any act of reprisal or threaten reprisal against a complainant or any other Person for providing relevant information to Council or to any other Person;
  - b. Obstruct Council, or any other Person, in carrying out the objectives or requirements of this Bylaw.
- 17.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
- a. A letter of reprimand addressed to the Member;
  - b. Requesting the Member to issue a letter of apology;
  - c. Publication of a letter of reprimand or request for apology and the Member's response;
  - d. Suspension or removal of the appointment of a Member as the chief Elected Official under section 150(2) of the *Act*;
  - e. Suspension or removal of the appointment of a Member as the Deputy chief Elected Official or acting chief Elected Official under section 152 of the *Act*;
  - f. Suspension or removal of the chief Elected Official's presiding duties under section 154 of the *Act*;
  - g. Suspension or removal from some or all Council committees and bodies to which Council has the right to appoint members;
  - h. Reduction or suspension of remuneration as defined in section 275.1 of the *Act* corresponding to a reduction in duties, excluding allowances for attendance at Council meetings;
  - i. Any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Member from fulfilling the legislated duties of a Councillor and the sanction is not contrary to the *Act*.

### 18. Review

This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

### 19. Severability



COUNCIL CODE OF  
CONDUCT BYLAW

BYLAW #: 2024-05

AUTHORITY: COUNCIL

SUPERSEDES: COUNCIL CODE OF CONDUCT  
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EFFECTIVE DATE: February 26, 2024

All sections of this Bylaw are separate and severable. Should any section or part of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

20. Repeal

This Bylaw repeals Council Code of Conduct Bylaw 2023-13 and all amendments.

21. Coming Into Force

This Bylaw comes into force and effect on the day it is passed.

READ A FIRST TIME ON FEB 12, 2024

READ A SECOND TIME ON FEB 12, 2024

READ A THIRD TIME AND PASSED ON \_\_\_\_\_

MAYOR \_\_\_\_\_

DATE \_\_\_\_\_

CAO \_\_\_\_\_

DATE \_\_\_\_\_



## Town of Valleyview Request For Decision

**Date:** February 26, 2024

**From:** Dave Descheneaux, Director of Public Works

**Subject:** 2024-06 Waste Management Bylaw

### 1.0 PURPOSE

To seek Council's approval for all three readings and approval of 2024-06 Waste Management Bylaw.

### 2.0 BACKGROUND AND DISCUSSION

The Town of Valleyview's current Waste Management Bylaw (2023-08) was recently updated, however, requires additional context and content to improve interpretation, and to reflect the current needs of our community and Council's directions. Revisions to 2024-06 Waste Management Bylaw includes:

1. Bylaw start: "A Bylaw ... to establish and Maintain a Waste Management System" with "Whereas" content separated into specific purposes: "... a Council may pass bylaws for municipal purposes;" and "... authority to regulate the provision of a local Waste management services ...".
2. Definitions: Added – Dwelling.
3. Section 6.3: Defined clearer expectations of Owner or Occupant of a premise to keep Waste Receptacle provided by Town within one (1) of the Dwelling.
4. Section 9.3: Defined clearer expectations of when, how, and where the Waste Receptacle shall be returned to after being emptied on the Collection Day.
5. Schedule "D": updated Fines and Penalties to reflect revisions noted above and minor Section errors noticed during the revision process.
6. Changed font size to 12 (from 10) to reflect current Administration practices.
7. Current Bylaw 2023-08 and all amendments are repealed.

### 3.0 ALTERNATIVES

- 3.1 Council gives all three readings and approval of 2024-06 Waste Management Bylaw.
- 3.2 Council moves to amend 2024-06 Waste Management Bylaw and gives all three readings and approval of 2024-06 Waste Management Bylaw.
- 3.3 Council accepts this RFD "2024-06 Waste Management Bylaw" as information only at this time.

#### **4.0 FINANCIAL IMPLICATIONS**

None.

#### **5.0 ATTACHMENTS**

- 5.1 New Bylaw: 2024-06 Waste Management Bylaw
- 5.2 Current Bylaw: 2023-08 Waste Management Bylaw

#### **6.0 RECOMMENDATIONS**

Council gives all three readings and approval of 2024-06 Waste Management Bylaw.

Submitted By:   
Dave Descheneaux, Director of Public Works

Approved By:   
Ben Berlinguette, Chief Administrative Officer



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
BYLAW 2023-08

**EFFECTIVE DATE:** February 26, 2024

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### **BEING A BYLAW OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AND MAINTAIN A WASTE MANAGEMENT SYSTEM.**

**WHEREAS** pursuant to section 7 of the *Municipal Government Act*, and amendments hereto, a Council may pass bylaws for municipal purposes;

**WHEREAS** the *Municipal Government Act* gives broad authority to Municipal Councils to govern in whatever manner a Council deems appropriate, including the authority to regulate the provision of a local Waste management services including the authority to establish and maintain a system for the storage, Collection, removal, and disposal of garbage, refuse, and Waste throughout the Municipality;

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF VALLEYVIEW DULY ASSEMBLED,  
ENACTS AS FOLLOWS:**

#### **PART 1 – TITLE, PURPOSE, DEFINITION, AND INTERPRETATION**

##### **1. Short Title**

This Bylaw may be cited as the “Waste Management Bylaw”.

##### **2. Purpose**

The purpose of this Bylaw is to regulate and provide for clean, safe, and efficient Waste management system for the Collection, removal, and disposal of solid Waste and solid Waste transfer from residential and commercial properties throughout the Municipality, and to regulate operations for the provision of recycling services for the Town of Valleyview Recycle Centre.

##### **3. Definitions**

In this Bylaw:

“**Act**” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;

“**Acceptable Waste**” means any Waste which can be lawfully disposed of at the Disposal Site, and which is not defined herein as being “non-acceptable Waste”;



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
BYLAW 2023-08

**EFFECTIVE DATE:** February 26, 2024

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**“Ashes”** means the residue from any substance after combustion and includes partially burnt wood, charcoal, or coal;

**“Boulevard”** means that portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot line, excepting that portion occupied by a sidewalk;

**“Bundle”** or **“Bundled”** means tree pruning’s compressed into a securely tied Bundle not exceeding one (1) meter in length and 0.5 meters in width and depth;

**“Chief Administrative Officer”** (CAO) means the chief administrative officer of the Town of Valleyview or their delegate;

**“Clean Wood Waste”** means solid wood, lumber, or pallets, that do not contain any glues or resins, that is not painted, stained, or treated with chemicals, and may be pierced with nails or other metal fasteners;

**“Collection Container”** means a Waste Receptacle, Commercial Bin, or receptacle purposed for the Collection of Waste;

**“Collection Day”** means the day or days on which Waste is regularly collected from specific premises;

**“Collection Event”** means a specially scheduled Waste collection or drop-off service for specific purpose, such as the disposal of Waste that is not normally collected due to volume, size, or nature, or for other purposes as applicable;

**“Commercial Hauler”** means a Person engaged in the business of collecting Waste and recyclable materials from Property for transport to a Disposal Site or material recovery facility;

**“Collection Personnel”** means any Person or contractor employed or hired by the Town of Valleyview for purposes of collection, removal, or disposal of Waste materials;

**“Collection Point”** means a location where one Collection Container, or Commercial Bins and recycling Collection Containers are placed for collection by the Town of Valleyview;





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**“Commercial Bin”** means a Waste Collection bin purposed and sized to be shared by Multi-Family Residential Premises, such as an apartment building or townhouse; mobile or manufactured home parks; commercial/industrial/institutional properties; or any Waste bin that is similar to such a bin in size or make; and suitable to be mechanically loaded by the Town’s Waste disposal vehicles as approved by the Town;

**“Compost Material”** means Yard Waste such as grass clippings, fallen leaves, weeds before they seed;

**“Council”** means the Municipal Council of the Town of Valleyview;

**“Curbside Collection”** means a Waste Collection service provided by the Town typically for residential premises, where each premises places Waste for Collection individually and Collection Personnel stop at each location;

**“Director”** means the Director of Public Works or any successor position, or his or her designate;

**“Disposal Site” or “Disposal Grounds”** means the refuse and Waste material disposal area or site designated by the Town;

**“Disposal Site Supervisor”** includes any employee or contractor authorized to control the operations of the Disposal Grounds by the Director of Public Works;

**“Dwelling”** means a building or portion of a building containing one (1) or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and intended as a permanent residence, and as further defined within the Town’s Land Use Bylaw. Dwellings do not include a detached garage, a storage or shed unit or building, or any structure that is not permanently attached to the Dwelling;

**“Garbage” or “Waste” or “Household Waste”** means Transfer Station Materials excluding Non-Acceptable Waste as set out in Schedule “B” of this Bylaw, Yard Waste, and all Waste material created by the operation of a household or business;

**“Garbage Bag”** means a plastic bag supplied by the owner or occupier of Property for the deposit of garbage;



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**“Hazardous Substances”** means any substance or mixture of substances that is designated as hazardous under the Alberta Waste Control Regulation or otherwise exhibits characteristics of flammability, corrosivity, reactivity, or toxicity;

**“Health Officer”** means that Person defined as the Health Officer in the Public Health Act;

**“Household Waste”** means disposable materials generated by households;

**“Landfill”** or **“Pit”** means a Class II or Class III landfill that accepts 10,000 tonnes or less of Waste per year;

**“Large Item”** means a single item of Waste that is not collectable through Curbside Collection;

**“Multi-Family Residential Premises”** means a building which is either occupied or intended to be occupied by more than two (2) families living independently of one another on the same premises such as in an apartment or townhouse but does not include buildings or premises which are part residential and part commercial or industrial;

**“Municipal Tag”** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a Bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence;

**“Non-Acceptable Waste”** means any material, item, substance, or Waste that is listed in Schedule “B” of this bylaw which cannot be lawfully or conveniently accommodated at the Disposal Site such as, but not limited to, hazardous Waste, radioactive Waste and any other Waste which is deemed by the Director of Public Works or to be not acceptable for disposal;

**“Non-Residential Premises”** means any Property, or self-contained portion of a Property that does not contain a Dwelling unit;

**“Occupant”** means any Person who is residing on or to be in apparent possession or control of a Property or Structure, including, but not limited to, a lessee;

**“Owner”** means:

- a) in respect of land, to be registered under the *Land Titles Act* as the owner of the fee simple estate in a parcel of land; or



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- b) in respect of Personal Property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;

**“Peace Officer”** means a Community Peace Officer or Bylaw Officer appointed by the Town to do any act, perform any duty, and enforce any provision outlined by any Municipal Bylaw, and includes a member of the Royal Canadian Mounted Police;

**“Person”** means any individual, firm, partnership, association, corporation, trustee, executor, administrator, or other legal representative;

**“Property”** means any and all of a parcel of land or improvements on land, or items or Personal Property including any structure;

**“Proprietor”** means the owner, occupant, manager, lessee, tenant, resident manager, or any other Person in charge of multi-family residential or commercial premises, including Provincial and Federal government premises;

**“Reactive Waste”** means a substance that:

- a) is normally unstable and readily capable of detonation, explosive decomposition, or violent reaction at standard temperature and pressure;
- b) is an explosive as defined under the Canadian *Explosives Act*; or
- c) when exposed to water, pH conditions between 2 and 12.5, a strong initiating source, heat under confinement, or agitation is capable of:
  - i. detonation, explosive decomposition, or violent reaction; or
  - ii. generating toxic gases, vapors, or fumes in a quantity sufficient to present danger to human health or the environment;

**“Recyclables”** means the clean materials listed in Schedule “A” as suitable for depositing in a designated Recycling Collection Container;

**“Recycle Centre”** means the permanent area within the Town that has been designated by the Director to receive Recyclable materials;

**“Recycling Collection Container”** means a container designated for disposal of recyclable materials;



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**“Residential Dwelling” or “Residential Premises”** shall be a Dwelling unit that contains a single-family residence or each Dwelling unit within a duplex;

**“Town”** means the Town of Valleyview;

**“Transfer Station”** means the permanent area within the Town that has been designated by the Director to receive Transfer Station Material;

**“Transfer Station Material”** means any material or item that has been designated as such by the Director due to the nature of the material or item;

**“Violation Ticket”** means a Violation Ticket as defined in the *Provincial Offences Procedure Act*;

**“Waste”** means any discarded or abandoned material or item that requires disposal to mitigate a nuisance or an unsafe or unsanitary condition;

**“Waste Disposal Grounds”** means the Town of Valleyview Waste Disposal Grounds located at NE-35-70-23-W5;

**“Waste Receptacle”** means a container provided by the Town and specifically designed to store Waste that will be collected by a commercial hauler;

**“Waste Storage Enclosure”** means a structure intended to serve Collection and storage needs for Waste, located at a Non-Residential Premises.;

**“Wooden Garbage Container”** means a structure constructed of wood designed to store garbage receptacles and other contained refuse, located at a Residential Premises;

**“Yard Waste”** shall consist of lawn clippings and or leaves.

#### 4. Rules of Interpretation

- 4.1 Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order, or license.
- 4.2 The headings in this Bylaw are for guidance purposes and convenience only.



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- 4.3 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
  - 4.4 Any reference to the provisions of the statute of Alberta is a reference to that statute as amended, from time to time.

### **PART 2 – GENERAL WASTE MANAGEMENT**

#### **5. General Waste Management**

- 5.1 Any Person generating Waste shall deposit Waste in Waste Receptacle provided by the Town.
- 5.2 Wooden Garbage Containers on Residential Premises are prohibited.
- 5.3 The Town shall provide Waste Collection and disposal service upon such terms and conditions as are considered expedient;
- 5.4 The Town may contract with and grant an exclusive or non-exclusive right to any Person to provide Collection or disposal services within and near the Town;
- 5.5 No Person other than the Owner or Occupant, Town representative, or Collection contractor shall interfere with, disturb the contents of, remove material from, or add additional material to any Waste Collection Container (i.e., Waste Receptacle) located in any residential or non-residential Property within the Town;
- 5.6 No Person shall leave Waste of any kind accessible to domesticated or non-domesticated animals or birds;
- 5.7 No Person shall accumulate garbage on their premises or allow garbage to be accumulated on their premises;
- 5.8 All Occupants and businesses shall keep one half width of the street or alley adjoining the Property owned or occupied free and clean of garbage and refuse.
- 5.9 A Person shall not set out, attempt to dispose of, or cause to be disposed through Collection services any Hazardous Waste or Reactive Waste.

#### **6. Preparation and Storage of Residential Waste for Collection**

- 6.1 An owner or occupant shall store Waste on the premises from which it was generated.
- 6.2 Waste set out for Collection at residential premises must comply with the following:



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- a) Prior to placing in Waste Receptacle, all Waste must be thoroughly drained and securely contained in a disposable Garbage Bag no smaller than 26" x 36" and when full have a weight of no more than 25 kg.
  - b) Waste shall be deposited only in the assigned Waste Receptacle;
  - c) Ensure the lid of each Waste Receptacle is completely closed when placed for Collection;
  - d) Break apart any Waste that exceeds the dimensions of the garbage bag;
  - e) Waste Receptacles must not be filled higher than the cart rim or interfere with the cart's lid;
  - f) Waste placed into Waste Receptacles must not be packed tightly in the cart and must fall freely from the container during Collection;
  - g) No Person shall secure a Waste Receptacle closed in a manner that would impede Collection.

6.3 The Owner or Occupant of a premise shall ensure any Waste Receptacle provided by the Town is kept at the premises, within one (1) meter of the Dwelling, and secured to deter theft or misuse.

6.4 No Person shall store any Waste Receptacle(s) on any public land, boulevard, road, or sidewalk.

6.5 When directed by the Director of Public Works, any Person storing a Waste Receptacle(s) pursuant to Section 6.4 shall remove the Waste Receptacle(s) from any public land, boulevard, road, alley, or sidewalk.

### 7. Collection Events

7.1 The Director of Public Works may schedule additional Waste Collection Events for specific materials or Waste streams, including but not limited to Large Item Pick Up Programs and Residential Yard Waste Programs.

7.2 The Director of Public Works may establish additional requirements in relation to a Collection Event. If any such requirement differs from a specific provision of this Bylaw, the requirement of the event shall prevail; however, in all other cases, the provisions of this Bylaw shall apply.

### 8. Residential Premises

8.1 The Town shall provide services for Garbage Collection and for any Collection Events for all residential premises.

8.2 The Director of Public Works shall determine whether Curbside Collection or another type of Collection will be used for each Residential premises.

8.3 Disposal of Waste not collected by the Town from Residential Premises shall be the responsibility of the Person disposing of the Waste.





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### 9. Curbside Collection

#### 9.1 Collection – General

- a) The Collection schedule shall be set by the Director of Public Works;
- b) No Garbage Collection shall be made from the inside of any building;
- c) Collection Personnel shall have the right to enter at all convenient times such portions of all premises within the Town as may be required for the purpose of performing Collection, removal, and disposal duties;
- d) Collection Personnel shall not be responsible for the Collection and removal of Non-Acceptable Waste as per Schedule “B;”
- e) All rubbish must be placed within a Waste Receptacle or Commercial Bin. No Garbage Bags or refuse shall be allowed outside of these containers;
- f) Collection Personnel will not be responsible for collecting any Waste which is not properly contained, nor any Waste which is placed in contravention of any part of this Bylaw.

#### 9.2 Waste Receptacles

- a) The Town shall provide Waste Receptacles for Garbage to each premises that receives Curbside Collection from the Town;
- b) Waste Receptacles shall remain the Property of the Town;
- c) Each Waste Receptacle shall be assigned specifically to the premises to which it was provided and shall be linked to the premises by a serial number;
- d) The Town shall establish the size and quantity of Waste Receptacles to be made available;
- e) The Town shall be responsible for repairs and replacements of a Waste Receptacle resulting from normal use;
- f) The owner of a premises assigned Waste Receptacles shall be responsible for:
  - i. notifying the Town of any stolen, lost, or damaged Waste Receptacle
  - ii. making all Waste Receptacles at the premises available for inspection, repair, or confirmation of serial number upon request of the Town; and
  - iii. the repair or replacement of a Waste Receptacle that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw
- g) If the Director of Public Works extends Curbside Collection or a Collection Event to Multi-Family Residential Premises, the requirements related to Curbside Collection shall apply.



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### 9.3 Collection

- a) A Person receiving Curbside Collection shall be responsible for confirming and adhering to their scheduled pick-up day;
- b) The Town shall provide a system for the Collection of Waste upon the following conditions:
  - i. The Town may decide on the quantities of Waste to be removed from any premises or accepted by the Town for disposal;
  - ii. Collections shall be made once per week from one Collection Point from all standard residential premises;
  - iii. Collection shall be made from Multi-Family Residential and Non-Residential premises as often as is required by the Proprietor;
  - iv. Collection Personnel shall not be required to collect residential Waste on Saturday, Sunday, or holidays except at the request of the Director of Public Works.
- c) Waste Receptacle shall be placed for Collection no later than 7:00 a.m. on the scheduled Collection Day and Waste Receptacle must be returned to their storage location on the premises, within one (1) meter of the Dwelling, and as further noted in subsections 5.8, 6.1, 6.3, and 6.4 of this Bylaw, by 11:59 p.m. of the scheduled Collection Day after being emptied;
- d) When placed for Collection, the Waste Receptacle shall have a one (1) meter of clearance between any structure, vehicle, or other object;
- e) During snow removal, street sweeping, road maintenance, and other events that may require the roadway to be clear, the Waste Receptacle must be placed on a driveway and set back from the curb or the road edge;
- f) Waste Receptacle shall be placed in a manner and location such that it is visible and accessible to Collection Personnel and does not obstruct traffic or pedestrians;
- g) Waste Receptacle shall be set in an upright position with the wheeled side of the cart facing the road or alley and placed:
  - i. One (1) meter from the curb street side;
  - ii. Where otherwise directed by the Director of Public Works.



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- h) Where special conditions exist, such as unimproved alleys, steep grades, retaining walls, or any condition that causes Collection to be impractical or unsafe, the Director of Public Works may consider other methods of Collection.

### 10. Commercial Bins

- 10.1 The Owner of a Multi-Family Residential Premises may be required to have a Commercial Bin;
- 10.2 The Owner of a Non-Residential Premises shall rent a Commercial Bin if they require a weekly pick-up.
- 10.3 The Owner of a Multi-Family Residential Premises or a Non-Residential Premises requiring a Commercial Bin are responsible for the monthly rental and tipping fees associated with the Bin as outlined in Schedule 'C;'
- 10.4 The Town shall be responsible for providing a Commercial Bin to each premises requiring one;
- 10.5 The Town shall establish the number and size of Commercial Bins to be made available to each premises receiving Collection;
- 10.6 The Director of Public Works shall be responsible for determining the location of the Commercial Bin, to ensure safe, efficient, and direct Collection vehicle access;
- 10.7 The Owner of a premises using Commercial Bins shall be responsible for:
- a) Providing a sufficient area for Commercial Bins in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
  - b) Ensuring the Commercial Bin is placed on private Property and shall ensure no damage is caused to Town roads, sidewalks, boulevards, or landscaping;
  - c) Ensuring all Commercial Bins are accessible to the residents or occupants of the premises and to Collection Personnel;
  - d) Ensuring any obstacles (i.e., snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Commercial Bins, including to the point the Commercial Bin meets the access point of the Collection vehicle;
  - e) Notifying the Town of any damaged or missing Commercial Bin;
  - f) The repair or replacement of a Commercial Bin that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;



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- g) Commercial Bins shall not be filled higher than the upper rim of the Commercial Bin, or in any manner which prevents full closure of the lids;
  - h) Commercial Bin lids must be left closed except when placing Waste into the Commercial Bin.

### **11. Preparation and Storage of Non-Residential Waste for Collection**

- 11.1 Waste shall be deposited within an appropriately designated Commercial Bin;
- 11.2 No Person shall deposit any Waste outside of a designated Commercial Bin at a premises except as directed by the Director of Public Works;
- 11.3 No Person shall deposit any Waste in a manner or of a nature that will impede the emptying of a Commercial Bin.
- 11.4 Prior to placing in Waste Receptacle, all Waste must be thoroughly drained and securely contained in a disposable garbage bag no smaller than 26" x 36";
- 11.5 Commercial Bins must not be filled higher than the Commercial Bins rim or interfere with the Commercial Bins lid.
- 11.6 The Owner of a Non-Residential Premises must ensure Commercial Bins are accessible and on a base sufficient to allow safe, easy access by Collection Personnel;
- 11.7 Wall and gate structures of Waste storage enclosures, whether used on a temporary or permanent basis, must be approved by the Town if Waste Receptacle is ably viewed by Public;
- 11.8 A Person shall ensure that the design construction and state of repair of any Waste Storage Enclosure on their premises allows for the safe and efficient Collection of Waste and meets the following requirements:
  - a) Doors of the Waste Storage Enclosure should not be locked on the day of scheduled Collection;
  - b) Door latches should open easily even in cold weather;
  - c) Enclosure doors should be fitted with a mechanism to secure door in an open position in events of high or gusting winds;
  - d) Enclosures should provide safe, unobstructed access for Collection Personnel.
- 11.9 No animal carcass, in whole or in part, shall be deposited in Commercial Bins;



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- 11.10 All Waste must be contained in the Commercial Bin as no hand Collection shall be made;
  - 11.11 No wood, concrete, or iron shall be picked up or collected from a Commercial Bin that may damage Collection equipment of collector.

### 12. Transfer Station

- 12.1 The Valleyview Recycle Centre and Transfer Station located at 4205 40<sup>th</sup> Avenue is operated by the Town of Valleyview.
- 12.2 Household Waste requiring disposal not included in regular Curbside Collection, shall be brought to the Transfer Station as per fees on Schedule “C”.
- 12.3 Any Person using the Transfer Station shall obey all signs and posted regulations and directions of site attendants;
- 12.4 No Person shall deposit any non-collectable material at the Transfer Station unless an area specifically designated has been provided;
- 12.5 No Person shall deposit in the Waste Transfer Station any materials not designated by posted signs or as per directives of the site attendants;
- 12.6 No Person shall remove any Garbage, Recyclables, Transfer Station materials, or other Waste from anywhere on the Transfer Station site without authorization from the Town unless those materials are in a designated reuse area and removed during designated operating hours;
- 12.7 No Person shall deposit any materials at the Waste Transfer Station outside the gates or fence the Waste Transfer Station or in the incorrect bins or containers for such materials;
- 12.8 Hours of operation of the Transfer Station may be established by the Director of Public Works;
- 12.9 No Person shall deposit any Waste materials at the Waste Transfer Station outside the hours of operation of that site;
- 12.10 No Person, other than Collection Personnel acting in accordance with this Bylaw or Town staff, shall enter any closed portion of the Transfer Station site outside of designated operating hours without authorization from the Town.

### 13. Waste Disposal Grounds

- 13.1 All Waste material deposited in the Waste Disposal Grounds shall become the Property of the Town. No Person, firm or corporation shall remove any Waste materials so deposited in the Waste Disposal Grounds unless they have first received the written permission of the Director of Public Works;
- 13.2 No Person, firm or corporation may enter the Waste Disposal Grounds except to deposit Waste materials;



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- 13.3 Materials accepted for disposal at the Waste Disposal Grounds are stated in Schedule “A”.
  - 13.3 The burning of Waste materials at the Waste Disposal Grounds is prohibited unless authorized by Alberta Forestry and the Valleyview Fire Chief. No burning Waste materials shall be deposited at the Waste Disposal Grounds;
  - 13.4 No Person, firm or corporation shall deposit, leave, dispose of, or abandon any Waste materials within the corporate limits of the Town of Valleyview, all such materials must be transported to the Waste Disposal Grounds supplied by the Town or picked up as per Bylaw;
  - 13.5 The Director of Public Works may designate areas in which specific Waste Materials must be placed.
  - 13.6 Waste Materials that are deemed to be beyond normal commercial/industrial Waste may be prohibited by the Director of Public Works from the Waste Disposal Grounds;
  - 13.7 Any Person requiring special permission from the Director of Public Works to place Waste Material at the Waste Disposal Grounds, may be assessed a charge reflecting the costs involved in placement and disposal of said Waste materials as per fee schedule on Schedule “C”.
  - 13.8 Any Person using the Town Waste Disposal Grounds shall obey all directional signs and follow any directions, instructions or orders given by a Disposal Grounds supervisor, Director of Public Works, or any other designated official of the Town of Valleyview.

### **14. Conveyance of Waste**

- 14.1 A Person using a vehicle of any description to convey Waste of any types whatsoever from the Property where the Waste is accumulated or produced to any other location either within or without the Town, whether the same is to be placed into a Town Disposal Site or not, shall be adequately enclosed, secured, or covered so as to prevent any Waste materials from potentially falling off or being blown from the vehicle;
- 14.2 A Person who transports Waste through the Town by a vehicle of any description in a manner so that any portion of the Waste detaches itself from the vehicle and falls on Property other than Property from which it is taken is guilty of an offence against this bylaw.

### **15. Burning, Dumping and Containment of Waste**

- 15.1 No Person shall, in lieu of disposing Waste in accordance with this Bylaw, cause or permit the direct or indirect:
  - a) Ignition or burning of any Waste;
  - b) Release of Waste into the environment; or





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c) Deposit or burial of any Waste on any public or private land, roadway, or watercourse.

15.2 Any Person storing Waste for Collection shall ensure that the Waste is properly contained to prevent the release of any materials into the environment.

15.3 No burning barrels or unapproved incinerators shall be allowed within the Town and no burning of garbage or refuse shall be allowed unless written approval is obtained from Alberta Forestry and from the Valleyview Fire Chief.

15.4 All grass burning for fire prevention purposes must be performed by the Valleyview Fire Department.

15.5 Collection Personnel shall not pick up Ashes or other Waste material that is hot or is likely to cause fire.

15.6 In the event any Waste is released, or other adverse incident occurs:

a) The Person responsible for management and control of the incident shall be responsible to:

- i. Gather any Waste released and keep it properly contained;
- ii. Provide notice to and follow the direction of any applicable authority in regard to the spill or release of any Hazardous Substance; and
- iii. Do everything reasonably possible to mitigate the incident and protect human health, safety, the environment, and Property; and

b) Any Person causing, whether by act or negligence, a direct or indirect release of Waste or other adverse incident and the Owner of the premises where the incident occurred shall be responsible for:

- i. Clean-up resulting from the incident including any Hazardous Substance or other contaminated residue;
- ii. Restoration of the affected area to its prior condition;
- iii. Any other resulting repair or remedy required;
- iv. Any applicable penalties specified in Schedule “D” of his Bylaw; and
- v. All resulting costs and damages.





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### 16. Residential Yard Waste

- 16.1 Collection of Yard Waste shall occur on scheduled pick-up days, occurring from late spring to early fall, with specific start and end dates determined by the Director of Public Works.
- 16.2 Yard Waste will be collected by Collection Personnel and stored for use by the Town of Valleyview in municipal greenspaces.
- 16.3 Acceptable yard Waste as per Schedule “A.”
- 16.4 Yard Waste shall be bagged in clear Garbage Bags and when full will not exceed a weight of more than twenty-five (25) kilograms.
- 16.5 Yard Waste intended for composting shall be free of animal droppings.
- 16.6 Yard Waste that does not qualify for the Residential Yard Waste Program, i.e., twigs, branches, other plant materials not part of the compost program, must be disposed of at the Disposal Grounds located at NE-35-70-23-W5 during regular operating hours.
- 16.7 No Person shall place for Collection a Bundle, package, or other material with length, width, or height of which exceeds the capacity of a clear plastic bag and not exceeding a weight of more than twenty-five (25) kilograms other than during special Large Item pick-up days which may be scheduled from time to time by the Director of Public Works.

### 17. Large Item Pick Up Program

- 17.1 The Director of Public Works may schedule Large Item Pick Up Programs to collect and dispose of Large Items not eligible through Curbside Collection.
- 17.2 Acceptable Large Items as per Schedule “A.”
- 17.3 The Director of Public Works may restrict the Collection of specific Large Items or may designate a specific material or items as a Large Item on a case-by-case basis.

## **PART 3 – GENERAL RECYCLING**

### 18. General Recycling

- 18.1 The Director of Public Works may specify types of Acceptable and Non-Acceptable Recyclable materials as set out in Schedule “A” and Scheduled “B,” respectively.



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18.2 The Town may contract with and grant an exclusive or non-exclusive right to any Person to provide Recycling services within and near the Town;

### **19. Recycle Centre Facility**

19.1 The Valleyview Recycle Centre located at 4205 40<sup>th</sup> Avenue is operated by the Town of Valleyview.

19.2 The fees at the Valleyview Recycle Centre will be set by the Town of Valleyview from time to time and approved by Council, and are outlined in Schedule “C.”

19.3 The hours of operation for the Valleyview Recycle Centre shall be determined by the Director of Public Works.

19.4 All Recyclables at the Valleyview Recycle Centre shall be deposited only in the designated areas.

19.5 No Person shall remove any Recyclables from the Valleyview Recycle Centre unless authorized by the Director of Public Works. It shall be unlawful for any unauthorized Person to enter the Valleyview Recycle Centre facility for the purpose of salvaging, picking over, scattering, searching for, or burning any materials.

19.6 No Person may enter the Town of Valleyview Recycle Centre to deposit Recyclables unless approved by the Director of Public Works.

19.7 No liquid or hazardous Waste shall be deposited at the Valleyview Recycle Centre.

19.8 Recyclables deposited at the Valleyview Recycle Centre will be done so in a manner which will minimize scattering.

19.9 No Person shall deposit materials of any kind at the Recycle Centre except in the Collection Containers provided.

19.10 No Person shall tamper with, interfere with, or damage a Collection Container at the Recycle Centre.

19.11 Any Person depositing Recyclables at the Valleyview Recycle Centre will do so in accordance with the direction of site attendants and in accordance with signage at the site.

19.12 Site attendants may refuse entry to any Person violating the terms of this Bylaw.



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
BYLAW 2023-08

**EFFECTIVE DATE:** February 26, 2024

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- 19.13 A Commercial Hauler must not deposit at the Recycle Centre Waste or recyclable materials that were collected in the course of the Commercial Hauler's business, except where granted written permission from the CAO.

### **20. Commercial Cardboard Recycling**

- 20.1 Owners of a commercial premises within the Town who require Commercial Cardboard Recycling pick up are subject to the applicable rates as set out in Schedule "C;"
- 20.2 The Town shall be responsible for providing a Recycling Collection Container to each premises requiring one;
- 20.3 The Town shall establish the number and size of Recycling Collection Containers to be made available to each premises receiving Collection;
- 20.4 Cardboard Recyclables must be flattened before depositing into Recycling Collection Container.
- 20.5 Cardboard Recyclables smaller in dimension than 12"x12"x12" must be Bundled or contained within a clear plastic bag.
- 20.6 The Owner or Occupant of a premises using Recycling Collection Containers shall be responsible for:
- a) Providing a sufficient area for Recycling Collection Containers in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
  - b) Ensuring the Recycling Collection Container is placed on private Property and ensuring no damage is caused to Town roads, sidewalks, boulevards, or landscaping;
  - c) Ensuring all Recycling Collection Containers are accessible to the residents or occupants of the premises and to Collection Personnel;
  - d) Ensuring any obstacles (i.e., snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Recycling Collection Containers, including to the point the Recycling Collection Container meets the access point of the Collection vehicle;
  - e) Notifying the Town of any damaged or missing Recycling Collection Containers;
  - f) The repair or replacement of a Recycling Collection Container that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;



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- g) Ensuring Recycling Collection Containers are not filled higher than the upper rim of the container, or in any manner which prevents full closure of the lids;
  - h) Ensuring Recycling Collection Container lids are left closed except when placing Recyclables into the container.
  - i) Cleanup of Recyclable cardboard that has not been deposited or does not remain in the Recycling Collection Container, Bundle, or within the clear plastic bag.

### **PART 4 – RATE AND FEES**

#### **21. Rates and Fees**

- 21.1 A monthly fee for Waste Collection and disposal shall be levied against each unit receiving Waste Collection and disposal services, as per Schedule “C” attached to and forming part of this Bylaw, which may be amended from time to time.
- 21.2 All fees and charges levied in accordance with the Town’s Utility Fees Bylaw, regardless of whether service was used or whether the account holder had arranged for another Person to make payment.
- 21.3 Residential, Multi-Family Residential, and Non-Residential Premises shall be charged the rates outlined in Schedule “C” for Waste Collection and disposal and or Recycling.
- 21.4 All accounts with the Town of Valleyview, under this section of the Bylaw, shall become due and payable in the same manner as the water and services bill with the garbage fee being added to the said water and sewer bill.

### **PART 5 – ENFORCEMENT**

#### **22. Vicarious Liability**

- a) For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred during the employee’s employment with the Person, or during the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

#### **23. Corporations and Partnerships**

- a) When a corporation commits an offence under this Bylaw, every principal, Director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the



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offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

- b) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

### 24. Compliance Order

- a) When a Peace Officer issues a Compliance Order and the Person fails to comply with the order in the time specified in the cleanup order, the Peace Officer may commence prosecution for the offense.
- b) A compliance order shall be deemed sufficiently served, if served;
- Posting it on the Property, Personally served or by leaving at his residence or business with a Person on the premises who appears to be at least 18 years of age,
  - By sending it by ordinary mail or registered mail to the last known address of the Person, firm, or corporation.
- c) When a Person obeys a compliance order, no prosecution shall be commenced with respect to the offense.
- d) When a Person(s) fails to comply with a Compliance Order, the Town may cause the condition of the premises to be remedied to the extent specific on the Compliance Order and shall charge the costs of the work done to the Person or Persons to whom the Order was issued and a plus 20% administrative fee will be added to all invoices.
- These costs involved are debt due to the Town and may be recovered as such.
  - The statement and demand for payment may be served by ordinary mail addressed to the occupant at their last known address, and a copy to the owner of the land at their address on the assessment roll.
  - If the Person or Persons on whom the statement is served fails to pay the amount set out in the statement within 30 days, the Town may cause the amount of the statement to be placed on the tax roll as an additional tax against the land concerned and the amount may be collected in the same manner as any Property are due and payable.

### 25. Offences and Penalties



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
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**EFFECTIVE DATE:** February 26, 2024

- 
- a) A Person who contravenes any provision of this Bylaw is guilty of an offence.
  - b) A Person who is guilty of an offence is liable to a minimum fine of \$100.00 or in an amount not less than that established in Schedule “D” and not exceeding ten thousand dollars (\$10,000.00).
  - c) Notwithstanding subsection 18.3(b), any Person who commits a second or subsequent offence under this Bylaw within one (1) year of conviction for a first offence under this Bylaw, is liable on summary conviction to a fine double the amount set out for the offence in Schedule “D” to this Bylaw.

### 26. Municipal Tag

- a) Without restricting the generality of subsection 18.2(b), the fine amounts set out in Schedule “D” are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.
- b) A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- c) A Municipal Tag shall be issued and served to a Person:
  - i. Either Personally; or
  - ii. By registered mail to such Person at their last known postal address.
- d) A Municipal Tag shall be in a form approved by the CAO and shall state:
  - i. The name of the Person to whom the Municipal Tag is issued;
  - ii. Particulars of the contravention under this Bylaw;
  - iii. The specified penalty for the offence as set out in Scheduled “D”;
  - iv. That the specified penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag in order to avoid prosecution; and
  - v. Any other information that may be required by the CAO.
- e) Where a Municipal Tag has been issued under this Bylaw, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Municipal Tag.
- f) If a Municipal Tag has been issued and the specified penalty on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the Person to whom the Municipal Tag was issued.





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- 
- g) A Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

### 27. Violation Ticket

- a) A Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- b) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- i. Specify the fine amount established by this Bylaw for the offence; or
  - ii. Require a Person to appear in court without the alternative of making a voluntary payment.
- c) A Person who commits an offence may:
- i. If a Violation Ticket is issued in respect of the offence; and
  - ii. If the Violation Ticket specifies the fine amount established by this Bylaw for the offence; make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.
- d) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to subsection 18.5(c) and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

### 28. Continuing Offences

- a) 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 day.

### 29. Appeal Procedure

- a) The Owner or Person who receives an Order pursuant to this Bylaw may request the CAO to review that Order by written notice:



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- 
- i. The written request for a review of an Order issues must be received by the Town Administration with seven (7) days of the receipt of the Order;
  - ii. Upon receipt of a written appeal, the CAO will review the Order, the enforcement file, the Bylaw, and any other materials provided therewith. The CAO may decide to uphold, vary, or revoke the Order and will communicate in writing within ten (10) business days of receipt of the appeal including, where applicable, the date by which the upheld or varied Order must be complied with.

### **PART 5 – GENERAL**

#### **30. Powers of the Chief Administrative Officer**

Without restricting any other power, duty, or function granted by this Bylaw, the CAO may:

- a) Carry out any inspections to determine compliance with this Bylaw;
- b) Take any steps or carry out any actions required to enforce this Bylaw;
- c) Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- d) Establish investigation and enforcement procedures with respect to residential, commercial industrial, or other types of Property and such procedures may differ depending on the type of Property in question;
- e) Establish areas where activities restricted by this Bylaw are permitted;
- f) Establish forms for the purposes of this Bylaw;
- g) Issue permits with such terms and conditions as are deemed appropriate;
- h) Establish the criteria to be met for a permit pursuant to this Bylaw; and
- i) Delegate any powers, duties, or functions under this Bylaw to an employee of the Town.

#### **31. Severability**

All sections of this Bylaw are separate and severable. Should any section or part of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

#### **32. Conflict**



## WASTE MANAGEMENT BYLAW

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Where the provisions of this Bylaw conflict with any other Bylaw enacted by the Town, the provisions of this Bylaw shall apply.

### **PART 6 – TRANSITIONAL**

#### **33. Repeals**

This Bylaw repeals the Waste Management Bylaw 2023-08.

#### **34. Coming Into Force**

This Bylaw comes into force on the day it is passed.

**READ A FIRST TIME ON:**

**READ A SECOND TIME ON:**

**READ A THIRD TIME ON:**

**SIGNED AND PASSED ON:**

\_\_\_\_\_  
[NAME], MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
[NAME], CAO

\_\_\_\_\_  
DATE



## WASTE MANAGEMENT BYLAW

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**AUTHORITY:** MAYOR & COUNCIL

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### SCHEDULE “A”

#### Acceptable Waste

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##### Transfer Station

- Household Waste only

##### Disposal Grounds

- Clean wood (non-treated)
- Metal
- Concrete
- Tires
- Appliances

##### Residential Yard Waste

- Leaves
- Grass clippings

##### Large Items including, but not limited to:

- Large appliances
  - i. Ranges;
  - ii. Refrigerators;
  - iii. Freezers;
  - iv. Washers;
  - v. Dryers;
  - vi. Dishwashers;
  - vii. Water coolers;
  - viii. Hot water tanks;
- Household furniture:
  - i. Sofas;
  - ii. Lovesats;
  - iii. Dining tables;
  - iv. Chairs;
  - v. Headboards
  - vi. Desks
  - vii. Dressers
- Mattresses and box springs



## WASTE MANAGEMENT BYLAW

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### SCHEDULE "A"

#### Acceptable Waste (continued)

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- Small equipment
  - i. Lawn mowers (fluids drained);
  - ii. Hedge trimmers (fluids drained);
  - iii. Barbecues (no tanks)
  - iv. Bicycles
  - v. Exercise equipment (must be dismantled)
  - vi. Tires
  - vii. Metal
  - viii. Wood (must be Bundled)

#### Recycle Centre

- Newspapers, magazines, mixed papers
  - i. Junk mail, telephone books, catalogues, office paper, brochures, envelopes.
- Cardboard
  - i. Cereal boxes, tissue boxes, milk/juice cartons, food packaging, soda/beer packaging, egg cartons (fibre), paper bags, packing boxes.
- Plastic Containers
  - i. Plastic water bottles, soda bottles, milk jugs, laundry jugs, shampoo/lotion bottles, condiment bottles, all hard plastic food containers.
- Aluminum & Metal Cans (labels removed)
  - i. Soda cans, beer cans, fruit cans, juice cans, assorted food cans, metal hangers.
- Automotive Fluid Containers
  - i. Empty oil, antifreeze and coolant jugs, empty hydraulic oil, brake, transmission fluid bottles, empty windshield wiper and DEF (diesel exhaust fluid) bottles; empty oil pails.
- Miscellaneous
  - i. Fluorescent bulbs, ballasts, regular light bulbs, batteries, paint, and aerosols.
- Electronics Recycling
  - i. Small appliances, audio/visual equipment, telecom, power and air tools, lawn and garden tools, games, toys and music systems, solar panels; and
  - ii. Other materials deemed Acceptable by the Director of Public Works.
- Any other materials or items that are not eligible for Curbside Collection and are deemed acceptable by the Director of Public Works.



## WASTE MANAGEMENT BYLAW

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**EFFECTIVE DATE:** February 26, 2024

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### SCHEDULE "B"

#### **Non-Acceptable Waste**

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Any material or Waste shall be Non-Acceptable Waste if:

- a) The deposit, Collection, or processing of the material or Waste may cause or result in:
  - i) An abnormal or unanticipated health or safety hazard to Collection Personnel or to any Person who is inspecting, operating, maintaining, or otherwise working on any facility or equipment for the Collection or processing of Waste;
  - ii) An offence under any applicable legislation or any regulation made thereunder;
  - iii) The failure of any product from a Waste processing facility to meet product specifications or objectives or any criteria listed in any applicable legislation;
  - iv) Adverse interference with, impairment of, or damage to any Waste Collection or processing equipment, facility, or process;
  - v) Injury to any Person, animal, Property, or vegetation; or
  - vi) An abnormally noxious odor.
- b) The material or Waste is, contains, or may have contained:
  - i) Any Hazardous Substance including but not limited to:
    - (1) Fuel, any flammable or explosive substance, or Reactive Waste;
    - (2) Monochlorinated or polychlorinated biphenyls (PCBs)
    - (3) Radioactive substances in concentrations in excess of those specified for release to the environment under the Canadian Nuclear Safety and Control Act and applicable regulations; and
    - (4) Pesticides or toxic substances not otherwise regulated in this Bylaw;
    - (5) Biomedical Waste including but not limited to:
      - (a) Pathological Waste
      - (b) Human or animal anatomical Waste
      - (c) Untreated microbiological Waste
      - (d) Waste sharps
      - (e) Untreated human blood and body fluids known to contain viruses and agents listed in 'Risk Group 4' as defined in 'Laboratory Biosafety Guidelines' published by Health Canada;
      - (f) Sewage or sludge; or
      - (g) Any material that has been designated as Non-Acceptable Waste by the Director of Public Works;
      - (h) Any material that does not meet the requirements set out by Alberta Environment.





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### **SCHEDULE "B"**

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#### **Non-Acceptable Waste (continued)**

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##### **Transfer Station**

- Wood
- Metal

##### **Waste Disposal Grounds**

- Waste generated from areas other than within the Town of Valleyview not accepted at this site.
- Waste that would typically go into a Landfill (pit), including but not limited to:
  - Furniture (not including solid wood furniture, all hardware removed)
  - Mattresses
  - Shingles
  - Insulation and Drywall
  - Treated Lumber
  - MDF Products
  - OSB

##### **Residential Yard Waste**

- Twigs
- Branches
- Stumps
- Root balls
- Other plant materials deemed Non-Acceptable by the Director of Public Works.

##### **Large Item Pick Up Program**

- Small or light items that can be easily transported and disposed of;
- Various electronics and small appliances eligible for recycling;
- Construction and home demolition materials including, but not limited to drywall and insulation;
- Items located in or around homes. Collection Personnel will not enter homes or yards to collect items; items must be placed curbside.
- Any other materials or items that are not eligible for Curbside Collection and are deemed acceptable by the Director of Public Works.

##### **Recycle Centre**

- Wood
- Metal
- All other materials deemed Non-Acceptable by the Director of Public Works.



## WASTE MANAGEMENT BYLAW

BYLAW #: 2024-06

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### SCHEDULE "C"

#### Garbage Rates

Effective July 24, 2023

The rates described in Schedule "C" are authorized pursuant to Utility-Garbage Collection & Disposal Bylaw #2023-08.

<u>Collection Type</u>	<u>Monthly Rate</u>	<u>Disposal Rate (Tipping Fees)</u>
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#### Residential Curbside Collection and Disposal Service

(240L Waste Receptacle) .....	\$18.00 .....	Included
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#### Commercial Bin Rentals (Waste and Recyclables)

6 Yard Bin .....	\$75.00 .....	\$30.00/dump
3 Yard Bin .....	\$38.50 .....	\$15.00/dump
2 Yard Bin .....	\$27.50 .....	\$15.00/dump

Recycle Centre and Transfer Station Fees .....	\$0.00 .....	\$0.00
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#### Disposal Grounds

Residential .....	\$0.00 .....	\$0.00
Non-Residential .....	\$0.00 .....	\$50.00/tandem
	\$0.00 .....	\$100.00/end dump

#### Residential Yard Waste Pick Up Program

Residential .....	\$0.00 .....	\$0.00
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#### Residential Large Item Pick Up Program

Residential .....	\$0.00 .....	\$0.00
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#### Recycling Fees

Residential .....	\$7.00 .....	\$0.00
Commercial .....	\$17.00 .....	\$0.00



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
BYLAW 2023-08

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### SCHEDULE "D"

#### Fines and Penalties

Offence	Section	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence
Dumping at Disposal Grounds without Town permission		\$250.00	\$500.00
Waste from vehicle unto public / private Property		\$500.00	\$1000.00
Not keeping garbage confined		150.00	\$300.00
Commercial outlets not supplying receptacles		\$100.00	\$250.00
Construction sites not disposing properly		\$500.00	\$1000.00
Disposal of Waste contrary to the Bylaw		\$250.00	\$500.00
Unsecured transportation of Waste	14	\$250.00	\$500.00
Unauthorized interference with disturbing contents of, removing material from, or adding additional material to any Waste Collection Container	5.5	\$250.00	\$500.00
Garbage not in Waste bin	5.8, 9.1(e)	\$150.00	\$500.00
Storing a Waste Receptacle on public land, boulevard, road, or sidewalk	6.4	\$150.00	\$500.00
Compost not in proper bags	16.4	\$150.00	\$500.00
Failure to ensure Waste is properly prepared and secured for Collection or transport	14.1, 14.2	\$150.00	\$300.00
Failure to notify the Town of any lost, stole, or damaged Waste Receptacle	9.2(f)(i)	\$50.00	\$100.00
Failure to remove Waste Receptacle from road and return it to storage location on premises next to Dwelling	9.3 (c)	\$150.00	\$300.00
Failure to maintain access to Waste Receptacles / Commercial Bins	9.3(d) (e) (g); 10.7 (c) (d)	\$250.00	\$500.00
Disposal of Waste from a Non-Residential Premises at a Residential Premises	6.2(b)	\$250.00	\$500.00
Disposal of Waste from a Residential Premises at a Non-Residential Premises	11.2	\$500.00	\$1000.00
Failure to obey Transfer Station signs or instructions	12.2	\$250.00	\$500.00



## WASTE MANAGEMENT BYLAW

**BYLAW #:** 2024-06

**AUTHORITY:** MAYOR & COUNCIL

**SUPERSEDES:** WASTE MANAGEMENT  
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Improper disposal of Waste at the Recycle Centre and Transfer Station	12.3, 12.4, 12.6	\$200.00	\$400.00
Unauthorized removal of an item or material from the Recycle Centre and Transfer Station	12.5	\$100.00	\$200.00
Unauthorized entrance into the Recycle Centre and Transfer Station	12.9	\$250.00	\$500.00
Failure to properly respond to the release of a Hazardous Substance	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$300.00	\$1000.00
Failure to properly clean up any released Waste	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$500.00	\$1000.00
Failure to properly secure gate of Waste Storage Enclosure in open position.	11.8 (c)	\$100.00	\$200.00
Putting Large Items out for pickup not scheduled	17	\$250.00	\$500.00



## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

**AUTHORITY: MAYOR & COUNCIL**

**APPROVAL: July 24, 2023**

**EFFECTIVE DATE: July 24, 2023**

**SUPERSEDES: UTILITY-GARBAGE COLLECTION & DISPOSAL BYLAW – REPEALED #1992-10**

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BEING A BYLAW OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA, BY VIRTUE OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26, 2000, SECTION 7, TO PROVIDE AND ESTABLISH A SYSTEM FOR THE STORAGE, COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, REFUSE, OR WASTE THROUGHOUT THE MUNICIPALITY OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA.

WHEREAS provincial legislation including the Municipal Government Act has given the municipal Council of the Town of Valleyview the authority to establish and maintain a system for the storage, collection, removal and disposal of garbage, refuse, or waste throughout the municipality.

NOW THEREFORE, The Municipal Council of the Town of Valleyview, duly assembled, enacts as follows:

### PART 1 – TITLE, PURPOSE, DEFINITION, AND INTERPRETATION

#### 1. Short Title

This Bylaw may be cited as the "Waste Management Bylaw."

#### 2. Purpose

The purpose of this Bylaw is to regulate and provide for clean, safe, and efficient solid waste collection and disposal and solid waste transfer from residential and commercial properties throughout the municipality and to regulate operations for the provision of recycling services for the Town of Valleyview Recycle Centre.

#### 3. Definitions

In this Bylaw:

"Acceptable Waste" means any waste which can be lawfully disposed of at the disposal site and which is not defined herein as being "non-acceptable waste;"

"Ashes" means the residue from any substance after combustion and includes partially burnt wood, charcoal, or coal"

"Boulevard" means that portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot line, excepting that portion occupied by a sidewalk;



## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

**AUTHORITY: MAYOR & COUNCIL**

**APPROVAL: July 24, 2023**

**EFFECTIVE DATE: July 24, 2023**

**SUPERSEDES: UTILITY-GARBAGE COLLECTION & DISPOSAL BYLAW – REPEALED #1992-10**

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**“Bundle”** means tree pruning’s compressed into a securely tied bundle not exceeding one (1) meter in length and 0.5 meters in width and depth;

**“Bylaw Enforcement Officer”** means the person appointed by Council to enforce compliance with the Bylaw, and includes a Peace Officer;

**“Chief Administrative Officer” (CAO)** means the chief administrative officer of the Town of Valleyview or their delegate;

**“Clean Wood Waste”** means solid wood, lumber, or pallets, that do not contain any glues or resins, that is not painted, stained, or treated with chemicals, and may be pierced with nails or other metal fasteners;

**“Collection Container”** means a garbage cart, commercial tank, or receptacle purposed for the collection of waste;

**“Collection Day”** means the day or days on which waste is regularly collected from specific premises;

**“Collection Event”** means a specially scheduled waste collection or drop-off service for specific purpose, such as the disposal of waste that is not normally collected due to volume, size, or nature, or for other purposes as applicable;

**“Commercial Hauler”** means a person engaged in the business of collecting waste and recyclable materials from property for transport to a disposal site or material recovery facility.

**“Collection Personnel”** means any person or contractor employed or hired by the Town of Valleyview for purposes of collection, removal, or disposal of waste materials;

**“Collection Point”** means a location where one collection container, or commercial tanks and recycling collection containers are placed for collection by the Town of Valleyview;

**“Commercial Tank”** means a waste collection bin purposed and sized to be shared by Multi-Family Residential Premises, such as an apartment building or townhouse; mobile or manufactured home parks; commercial/industrial/institutional properties; or any waste bin that is similar to such a bin in size or make; and suitable to be mechanically loaded by the Town’s waste disposal vehicles as approved by the Town;

**“Compost Material”** means yard waste such as grass clippings, fallen leaves, weeds before they seed;

**“Council”** means the Municipal Council of the Town of Valleyview;

**“Curbside Collection”** means a waste collection service provided by the Town typically for residential premises, where each premises places waste for collection individually and collection personnel stop at each location





## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

**AUTHORITY: MAYOR & COUNCIL**

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**“Director”** means the Director of Public Works or any successor position, or his or her designate;

**“Disposal Site” or “Disposal Grounds”** means the refuse and waste material disposal area or site designated by the Town;

**“Disposal Site Supervisor”** includes any employee or contractor authorized to control the operations of the waste disposal grounds by the Director of Public Works;

**“Dwelling Unit”** means a self-contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving;

**“Garbage” or “Waste” or “Household Waste”** means Transfer Station Materials excluding Non-Acceptable Waste as set out in Schedule “B” of this Bylaw, Yard Waste, and all Waste material created by the operation of a household or business.

**“Garbage Bag”** means a plastic bag supplied by the owner or occupier of property for the deposit of garbage;

**“Garbage Cart”** means a means a collection cart used for the collection of garbage;

**“Hazardous Substances”** means any substance or mixture of substances that is designated as hazardous under the Alberta Waste Control Regulation or otherwise exhibits characteristics of flammability, corrosivity, reactivity, or toxicity.

**“Health Officer ”** means that person defined as the Health Officer in the Public Health Act;

**“Household Waste”** means disposable materials generated by households.

**“Landfill” or “Pit”** means a Class II or Class III landfill that accepts 10,000 tonnes or less of waste per year;

**“Lane”** means all the public lands between rear or side property lines utilized as a means for public access or thoroughfare;

**“Large Item”** means a single item of waste that is not collectable through Curbside Collection.

**“Mobile Home Park”** means land used or occupied by any person for the purposes of providing accommodation of two or more mobile homes or park model trailers;

**“Multi-Family Residential Premises”** means a building which is either occupied or intended to be occupied by more than two (2) families living independently of one another on the same premises such as in an apartment or townhouse but does not include buildings or premises which are part residential and part commercial or industrial;



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**“Municipal Tag”** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a Bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence;

**“Non-Acceptable Waste”** means any material, item, substance, or waste that is listed in Schedule “B” of this bylaw which cannot be lawfully or conveniently accommodated at the disposal site such as, but not limited to, hazardous waste, radioactive waste and any other waste which is deemed by the Director of Public Works or to be not acceptable for disposal;

**“Non-Residential Premises”** means any property, or self-contained portion of a property that does not contain a dwelling unit.

**“Occupant”** means any person who is residing on or to be in apparent possession or control of a Property or Structure, including, but not limited to, a lessee;

**“Owner”** means

- a) in respect of land, to be registered under the *Land Titles Act* as the owner of the fee simple estate in a parcel of land; or
- b) in respect of personal property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;

**“Peace Officer”** means a Community Peace Officer or Bylaw Officer appointed by the Town to do any act, perform any duty, and enforce any provision outlined by any Municipal Bylaw, and includes a member of the Royal Canadian Mounted Police.

**“Person”** means any individual, firm, partnership, association, corporation, trustee, executor, administrator, or other legal representative;

**“Plastic Bags”** (garbage bags) shall be no smaller than 26” x 36” and when full have a weight of no more than 25 kg.

**“Property”** means any and all of a parcel of land or improvements on land, or items or personal property including any structure;

**“Proprietor”** means the owner, occupant, manager, lessee, tenant, resident manager, or any other person in charge of multi-family residential or commercial premises, including Provincial and Federal government premises;

**“Reactive Waste”** means a substance that:

- i) is normally unstable and readily capable of detonation, explosive decomposition, or violent reaction at standard temperature and pressure;



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- ii) is an explosive as defined under the Canadian *Explosives Act*; or
- iii) when exposed to water, pH conditions between 2 and 12.5, a strong initiating source, heat under confinement, or agitation is capable of:
  - (1) detonation, explosive decomposition, or violent reaction; or
  - (2) generating toxic gases, vapours, or fumes in a quantity sufficient to present danger to human health or the environment.

**“Recyclables”** means the clean materials listed in Schedule “A” as suitable for depositing in a designated Recycling Collection Container.

**“Recycle Centre”** means the permanent area within the Town that has been designated by the Director to receive Recyclable materials.

**“Recycling Collection Container”** means a container designated for disposal of recyclable materials.

**“Residential Dwelling” or “Residential Premises”** shall be a dwelling unit that contains a single-family residence or each dwelling unit within a duplex;

**“Town”** means the Town of Valleyview;

**“Transfer Station”** means the permanent area within the Town that has been designated by the Director to receive Transfer Station Material;

**“Transfer Station Material”** means any material or item that has been designated as such by the Director due to the nature of the material or item;

**“Violation Ticket”** means a Violation Ticket as defined in the *Provincial Offences Procedure Act*;

**“Waste”** means any discarded or abandoned material or item that requires disposal to mitigate a nuisance or an unsafe or unsanitary condition;

**“Waste Disposal Grounds”** means the Town of Valleyview Waste Disposal Grounds located at NE-35-70-23-W5;

**“Waste Receptacle”** means a container provided by the Town and specifically designed to store waste that will be collected by a hauler.

**“Waste Storage Enclosure”** means a structure intended to serve collection and storage needs for Waste, located at a Non-Residential Premises.



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**“Wooden Garbage Container”** means a structure constructed of wood designed to storage garbage receptacles and other contained refuse, located at a Residential Premises.

**“Yard Waste”** shall consist of lawn clippings and/or leaves;

#### **4. Rules of Interpretation**

- 4.1 Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order, or license.
- 4.2 The headings in this Bylaw are for guidance purposes and convenience only.
- 4.3 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 4.4 Any reference to the provisions of a statute of Alberta is a reference to that statute as amended, from time to time.

### **PART 2 – GENERAL WASTE MANAGEMENT**

#### **5. General Waste Management**

- 5.1 Any Person generating Waste shall deposit Waste in garbage carts provided by the Town.
- 5.2 Wooden Garbage Containers on Residential Premises are prohibited.
- 5.3 The Town shall provide Waste collection and disposal service upon such terms and conditions as are considered expedient;
- 5.4 The Town may contract with and grant an exclusive or non-exclusive right to any person to provide collection or disposal services within and near the Town;
- 5.5 No Person other than the Owner or Occupant, Town representative or collection contractor shall interfere with, disturb the contents of, remove material from, or add additional material to any Waste collection container (i.e., Waste Receptacle) located in any residential or non-residential Property within the Town;
- 5.6 No Person shall leave Waste of any kind accessible to domesticated or non-domesticated animals or birds;
- 5.7 No Person shall accumulate garbage on their premises or allow garbage to be accumulated on their premises;
- 5.8 All Occupants and businesses shall keep one half width of the street or alley adjoining the property owned or occupied free and clean of garbage and refuse.
- 5.9 A Person shall not set out, attempt to dispose of, or cause to be disposed through collection services any Hazardous Waste or Reactive Waste.



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### **6. Preparation and Storage of Residential Waste for Collection**

- 6.1 An owner or occupant shall store Waste on the premises from which it was generated.
- 6.2 Waste set out for collection at residential premises must comply with the following:
  - a) Prior to placing in Garbage Cart, all Waste must be thoroughly drained and securely contained in a disposable Garbage Bag no smaller than 26" x 36" and when full have a weight of no more than 25 kg.
  - b) Waste shall be deposited only in the assigned Garbage Cart;
  - c) Ensure the lid of each Garbage Cart is completely closed when placed for collection;
  - d) Break apart any Waste that exceeds the dimensions of the garbage bag;
  - e) Garbage Carts must not be filled higher than the cart rim or interfere with the cart's lid;
  - f) Waste placed into Garbage Carts must not be packed tightly in the cart and must fall freely from the container during collection;
  - g) No person shall secure a Garbage Cart closed in a manner that would impede collection.
- 6.3 The Owner of a premises shall ensure any Garbage Cart provided by the Town is kept at the premises and secured to deter theft or misuse.
- 6.4 No Person shall store any Garbage Carts on any public land, boulevard, road, or sidewalk.
- 6.5 When directed by the Director of Public Works, any person storing a Garbage Cart pursuant to Section 6.4 shall remove the Garbage Cart from any public land, boulevard, road, alley, or sidewalk.

### **7. Collection Events**

- 7.1 The Director of Public Works may schedule additional Waste collection events for specific materials or Waste streams, including but not limited to Large Item Pick Up Programs and Residential Yard Waste Programs.
- 7.2 The Director of Public Works may establish additional requirements in relation to a collection event. If any such requirement differs from a specific provision of this Bylaw, the requirement of the event shall prevail; however, in all other cases, the provisions of this Bylaw shall apply.

### **8. Residential Premises**

- 8.1 The Town shall provide services for Garbage collection and for any collection events for all residential premises.
- 8.2 The Director of Public Works shall determine whether curbside collection or another type of collection will be used for each Residential premises.
- 8.3 Disposal of Waste not collected by the Town from a Residential Premises shall be the responsibility of the person disposing of the Waste.



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### **9. Curbside Collection**

#### **9.1 Collection – General**

- a) The collection schedule shall be set by the Director of Public Works;
- b) No Garbage collection shall be made from the inside of any building;
- c) Collection Personnel shall have the right to enter at all convenient times such portions of all premises within the Town as may be required for the purpose of performing collection, removal, and disposal duties;
- d) Collection Personnel shall not be responsible for the collection and removal of Non-Acceptable Waste as per Schedule “B;”
- e) All rubbish must be placed within a Garbage Cart or Commercial Tank. No Garbage Bags or refuse shall be allowed outside of these containers;
- f) Collection Personnel will not be responsible for collecting any Waste which is not properly contained, nor any Waste which is placed in contravention of any part of this Bylaw.

#### **9.2 Garbage Carts**

- a) The Town shall provide Garbage Carts for Garbage to each premises that receives Curbside Collection from the Town;
- b) Garbage Carts shall remain the property of the Town;
- c) Each Garbage Cart shall be assigned specifically to the premises to which it was provided and shall be linked to the premises by a serial number;
- d) The Town shall establish the size and quantity of Garbage Carts to be made available;
- e) The Town shall be responsible for repairs and replacements of a Garbage Cart resulting from normal use;
- f) The owner of a premises assigned Garbage Carts shall be responsible for:
  - i. notifying the Town of any stolen, lost, or damaged Garbage Cart
  - ii. making all Garbage Carts at the premises available for inspection, repair, or confirmation of serial number upon request of the Town; and
  - iii. the repair or replacement of a Garbage Cart that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw
- g) If the Director of Public Works extends Curbside Collection or a Collection Event to Multi-Family Residential Premises, the requirements related to curbside collection shall apply.

#### **9.3 Collection:**

- a) A person receiving Curbside Collection shall be responsible for confirming and adhering to their scheduled pick-up day;





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- b) The Town shall provide a system for the collection of Waste upon the following conditions:
  - i. The Town may decide on the quantities of Waste to be removed from any premises or accepted by the Town for disposal;
  - ii. Collections shall be made once per week from one Collection Point from all standard residential premises;
  - iii. Collection shall be made from Multi-Family Residential and Non-Residential premises as often as is required by the proprietor;
  - iv. Collection Personnel shall not be required to collect residential Waste on Saturday, Sunday, or holidays except at the request of the Director of Public Works.
- c) Waste Receptacle shall be placed for collection no later than 7:00 a.m. on the scheduled collection day and must be returned to their storage location within twenty-four (24) hours of being emptied;
- d) When placed for collection, the waste receptacle shall have a 1.0 meter of clearance between any structure, vehicle, or other object;
- e) During snow removal, street sweeping, road maintenance and other events that may require the roadway to be clear, the waste receptacle must be placed on a driveway and set back from the curb or the road edge;
- f) Waste Receptacle shall be placed in a manner and location such that it is visible and accessible to Collection Personnel and does not obstruct traffic or pedestrians;
- g) Waste Receptacle shall be set in an upright position with the wheeled side of the cart facing the road or alley and placed.
  - i. One (1) meter from the curb street side;
  - ii. Where otherwise directed by the Director of Public Works.
- h) Where special conditions exist, such as unimproved alleys, steep grades, retaining walls, or any condition that causes collection to be impractical or unsafe, the Director of Public Works may consider other methods of collection.

### **10. Commercial Tanks**

- 10.1 The Owner of a Multi-Family Residential Premises may be required to have a Commercial Tank;
- 10.2 The Owner of a Non-Residential Premises shall rent a Commercial Tank if they require a weekly pick-up.
- 10.3 The Owner of a Multi-Family Residential Premises or a Non-Residential Premises requiring a Commercial Tank are responsible for the monthly rental and tipping fees associated with the tank as outlined in Schedule 'C;'



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- 10.4 The Town shall be responsible for providing a Commercial Tank to each premises requiring one;
- 10.5 The Town shall establish the number and size of Commercial Tanks to be made available to each premises receiving collection;
- 10.6 The Director of Public Works shall be responsible for determining the location of the Commercial Tank, to ensure safe, efficient, and direct collection vehicle access;
- 10.7 The Owner of a premises using Commercial Tanks shall be responsible for:
  - a) Providing a sufficient area for Commercial Tanks in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
  - b) Ensuring the Commercial Tank is placed on private property and shall ensure no damage is caused to Town roads, sidewalks, boulevards, or landscaping;
  - c) Ensuring all Commercial Tanks are accessible to the residents or occupants of the premises and to Collection Personnel;
  - d) Ensuring any obstacles (ie, snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Commercial Tanks, including to the point the Commercial Tank meets the access point of the collection vehicle;
  - e) Notifying the Town of any damaged or missing Commercial Tank;
  - f) The repair or replacement of a Commercial Tank that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;
  - g) Tanks shall not be filled higher than the upper rim of the tank, or in any manner which prevents full closure of the lids;
  - h) Tank lids must be left closed except when placing waste into the tank.

### **11. Preparation and Storage of Non-Residential Waste for Collection**

- 11.1 Waste shall be deposited within an appropriately designated Commercial Tank;
- 11.2 No Person shall deposit any Waste outside of a designated Commercial Tank at a premises except as directed by the Director of Public Works;
- 11.3 No Person shall deposit any Waste in a manner or of a nature that will impede the emptying of a Commercial Tank.
- 11.4 Prior to placing in Garbage Cart, all Waste must be thoroughly drained and securely contained in a disposable garbage bag no smaller than 26" x 36";
- 11.5 Commercial Tanks must not be filled higher than the tank rim or interfere with the tank's lid.



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- 11.6 The Owner of a Non-Residential Premises must ensure tanks are accessible and on a base sufficient to allow safe, easy access by Collection Personnel;
- 11.7 Wall and gate structures of waste storage enclosures, whether used on a temporary or permanent basis, must be approved by the Town if Waste Receptacle is ably viewed by Public;
- 11.8 A Person shall ensure that the design construction and state of repair of any Waste Storage Enclosure on their premises allows for the safe and efficient collection of Waste and meets the following requirements:
  - a) Doors of the Waste Storage Enclosure should not be locked on the day of scheduled collection;
  - b) Door latches should open easily even in cold weather;
  - c) Enclosure doors should be fitted with a mechanism to secure door in an open position in events of high or gusting winds;
  - d) Enclosures should provide safe, unobstructed access for Collection Personnel.
- 11.9 No animal carcass, in whole or in part, shall be deposited in commercial tanks;
- 11.10 All Waste must be contained in the Commercial Tank as no hand collection shall be made;
- 11.11 No wood, concrete, or iron shall be picked up or collected from a Commercial Tank that may damage collection equipment of collector.

### **12. Transfer Station**

- 12.1 The Valleyview Recycle Centre and Transfer Station located at 4205 40<sup>th</sup> Avenue is operated by the Town of Valleyview.
- 12.2 Household Waste requiring disposal not included in regular curbside collection, shall be brought to the Transfer Station as per fees on Schedule "C."
- 12.3 Any Person using the Transfer Station shall obey all signs and posted regulations and directions of site attendants;
- 12.4 No Person shall deposit any non-collectable material at the Transfer Station unless an area specifically designated has been provided;
- 12.5 No Person shall deposit in the Waste Transfer Station any materials not designated by posted signs or as per directives of the site attendants;
- 12.6 No Person shall remove any garbage, recyclables, Transfer Station materials, or other Waste from anywhere on the Transfer Station site without authorization from the Town unless those materials are in a designated reuse area and removed during designated operating hours;
- 12.7 No Person shall deposit any materials at the Waste Transfer Station outside the gates or fence the Waste Transfer Station or in the incorrect bins or containers for such materials;
- 12.8 Hours of operation of the Transfer Station may be established by the Director of Public Works;



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- 12.9 No Person shall deposit any Waste materials at the Waste Transfer Station outside the hours of operation of that site;
- 12.10 No Person other than Collection Personnel acting in accordance with this Bylaw or Town staff shall enter any closed portion of the Transfer Station site outside of designated operating hours without authorization from the Town.

### **13. Waste Disposal Grounds**

- 13.1 All Waste material deposited in the Waste Disposal Grounds shall become the property of the Town. No Person, firm or corporation shall remove any Waste materials so deposited in the Waste Disposal Grounds unless they have first received the written permission of the Director of Public Works;
- 13.2 No Person, firm or corporation may enter the Waste Disposal Grounds except to deposit Waste materials;
- 13.3 Materials accepted for disposal at the Waste Disposal Grounds are stated in Schedule "A."
- 13.3 The burning of Waste materials at the Waste Disposal Grounds is prohibited unless authorized by Alberta Forestry and the Valleyview Fire Chief. No burning Waste materials shall be deposited at the Waste Disposal Grounds;
- 13.4 No Person, firm or corporation shall deposit, leave, dispose of or abandon any Waste materials within the corporate limits of the Town of Valleyview, all such materials must be transported to the Waste Disposal Grounds supplied by the Town or picked up as per Bylaw;
- 13.5 The Director of Public Works may designate areas in which specific Waste materials must be placed.
- 13.6 Waste Materials that are deemed to be beyond normal commercial/industrial Waste may be prohibited by the Director of Public Works from the Waste Disposal Grounds;
- 13.7 Any Person requiring special permission from the Director of Public Works to place Waste material at the Waste Disposal Grounds, may be assessed a charge reflecting the costs involved in placement and disposal of said waste materials as per fee schedule on Schedule 'C.'
- 13.8 Any Person using the Town Waste Disposal Grounds shall obey all directional signs and follow any directions, instructions or orders given by a Disposal Grounds supervisor, Director of Public Works or any other designated official of the Town of Valleyview.

### **14. Conveyance of Waste**

- 14.1 A Person using a vehicle of any description to convey Waste of any types whatsoever from the property where the Waste is accumulated or produced to any other location either within or without the Town, whether the same is to be placed into a Town disposal site or not, shall be adequately enclosed, secured, or covered so as to prevent any waste materials from potentially falling off or being blown from the vehicle;
- 14.2 A person who transports Waste through the Town by a vehicle of any description in a manner so that any portion of the Waste detaches itself from the vehicle and falls on property other than property from which it is taken is guilty of an offence against this bylaw.

### **15. Burning, Dumping and Containment of Waste**



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- 15.1 No person shall, in lieu of disposing Waste in accordance with this Bylaw, cause or permit the direct or indirect:
- a) Ignition or burning of any waste;
  - b) Release of Waste into the environment; or
  - c) Deposit or burial of any Waste on any public or private land, roadway, or watercourse.
- 15.2 Any person storing Waste for collection shall ensure that the Waste is properly contained to prevent the release of any materials into the environment.
- 15.3 No burning barrels or unapproved incinerators shall be allowed within the Town and no burning of garbage or refuse shall be allowed unless written approval is obtained from Alberta Forestry and from the Valleyview Fire Chief.
- 15.4 All grass burning for fire prevention purposes must be performed by the Valleyview Fire Department.
- 15.5 Collection Personnel shall not pick up ashes or other Waste material that is hot or is likely to cause fire.
- 15.6 In the event any Waste is released or other adverse incident occurs:
- a) The person responsible for the management and control of the incident shall be responsible to:
    - i. Gather any Waste released and keep it properly contained,
    - ii. Provide notice to and follow the direction of any applicable authority in regard to the spill or release of any Hazardous Substance; and
    - iii. Do everything reasonably possible to mitigate the incident and protect human health, safety, the environment, and property; and
  - b) Any person causing, whether by act or negligence, a direct or indirect release of Waste or other adverse incident and the Owner of the premises where the incident occurred shall be responsible for:
    - i. Clean-up resulting from the incident including any Hazardous Substance or other contaminated residue;
    - ii. Restoration of the affected area to its prior condition;
    - iii. Any other resulting repair or remedy required;
    - iv. Any applicable penalties specified in Schedule "D" of his Bylaw; and
    - v. All resulting costs and damages.

### 16. Residential Yard Waste



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- 16.1 Collection of Yard Waste shall occur on scheduled pick-up days, occurring from late spring to early fall, with specific start and end dates determined by the Director of Public Works.
- 16.2 Yard Waste will be collected by Collection Personnel and stored for use by the Town of Valleyview in municipal greenspaces.
- 16.3 Acceptable yard waste as per Schedule "A."
- 16.4 Yard Waste shall be bagged in clear plastic bags and when full will not exceed a weight of more than twenty-five (25) kilograms.
- 16.5 Yard Waste intended for composting shall be free of animal droppings.
- 16.6 Yard Waste that does not qualify for the Residential Yard Waste Program, ie: twigs, branches, other plant materials not part of the compost program, must be disposed of at the Disposal Grounds located at NE-35-70-23-W5 during regular operating hours.
- 16.7 No Person shall place for collection a bundle, package, or other material with length, width, or height of which exceeds the capacity of a clear plastic bag and not exceeding a weight of more than twenty-five (25) kilograms other than during special large item pick-up days which may be scheduled from time to time by the Director of Public Works.

### **17. Large Item Pick Up Program**

- 17.1 The Director of Public Works may schedule Large Item Pick Up Programs to collect and dispose of large items not eligible through curbside collection.
- 17.2 Acceptable large items as per Schedule "A."
- 17.3 The Director of Public Works may restrict the collection of specific Large Items or may designate a specific material or items as a Large Item on a case-by-case basis.

## **PART 3 – GENERAL RECYCLING**

### **18. General Recycling**

- 18.1 The Director of Public Works may specify types of Acceptable and Non-Acceptable Recyclable materials as set out in Schedule "A" and Scheduled "B," respectively.
- 18.2 The Town may contract with and grant an exclusive or non-exclusive right to any person to provide Recycling services within and near the Town;

### **19. Recycle Centre Facility**

- 19.1 The Valleyview Recycle Centre located at 4205 40<sup>th</sup> Avenue is operated by the Town of Valleyview.
- 19.2 The fees at the Valleyview Recycle Centre will be set by the Town of Valleyview from time to time and approved by Council, and are outlined in Schedule "C."
- 19.3 The hours of operation for the Valleyview Recycle Centre shall be determined by the Director of Public Works





## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

**AUTHORITY: MAYOR & COUNCIL**

**APPROVAL: July 24, 2023**

**EFFECTIVE DATE: July 24, 2023**

**SUPERSEDES: UTILITY-GARBAGE COLLECTION & DISPOSAL BYLAW – REPEALED #1992-10**

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- 19.4 All Recyclables at the Valleyview Recycle Centre shall be deposited only in the designated areas.
- 19.5 No Person shall remove any Recyclables from the Valleyview Recycle Centre unless authorized by the Director of Public Works. It shall be unlawful for any unauthorized person to enter the Valleyview Recycle Centre facility for the purpose of salvaging, picking over, scattering, searching for, or burning any materials.
- 19.6 No Person may enter the Town of Valleyview Recycle Centre to deposit Recyclables unless approved by the Director of Public Works.
- 19.7 No liquid or hazardous waste shall be deposited at the Valleyview Recycle Centre.
- 19.8 Recyclables deposited at the Valleyview Recycle Centre will be done so in a manner which will minimize scattering.
- 19.9 No Person shall deposit materials of any kind at the Recycle Centre except in the Collection Containers provided.
- 19.10 No Person shall tamper with, interfere with, or damage a Collection Container at the Recycle Centre.
- 19.11 Any Person depositing Recyclables at the Valleyview Recycle Centre will do so in accordance with the direction of site attendants and in accordance with signage at the site.
- 19.12 Site attendants may refuse entry to any person violating the terms of this Bylaw.
- 19.13 A Commercial Hauler must not deposit at the Recycle Centre waste or recyclable materials that were collected in the course of the commercial hauler's business, except where granted written permission from the CAO.

### **20. Commercial Cardboard Recycling**

- 20.1 Owners of a commercial premises within the Town who require Commercial Cardboard Recycling pick up are subject to the applicable rates as set out in Schedule "C;"
- 20.2 The Town shall be responsible for providing a Recycling Collection Container to each premises requiring one;
- 20.3 The Town shall establish the number and size of Recycling Collection Containers to be made available to each premises receiving collection;
- 20.4 Cardboard Recyclables must be flattened before depositing into Recycling Collection Container.
- 20.5 Cardboard Recyclables smaller in dimension than 12"x12"x12" must be bundled or contained within a clear plastic bag.
- 20.6 The Owner or Occupant of a premises using Recycling Collection Containers shall be responsible for:
  - a) Providing a sufficient area for Recycling Collection Containers in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
  - b) Ensuring the Recycling Collection Container is placed on private property and ensuring no damage is caused to Town roads, sidewalks, boulevards, or landscaping;



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- c) Ensuring all Recycling Collection Containers are accessible to the residents or occupants of the premises and to Collection Personnel;
- d) Ensuring any obstacles (ie, snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Recycling Collection Containers, including to the point the Recycling Collection Container meets the access point of the collection vehicle;
- e) Notifying the Town of any damaged or missing Recycling Collection Containers;
- f) The repair or replacement of a Recycling Collection Container that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;
- g) Ensuring Recycling Collection Containers are not filled higher than the upper rim of the container, or in any manner which prevents full closure of the lids;
- h) Ensuring Recycling Collection Container lids are left closed except when placing Recyclables into the container.
- i) Cleanup of Recyclable cardboard that has not been deposited or does not remain in the Recycling Collection Container, bundle, or within the clear plastic bag.

### **20. Enforcement**

#### **20.1 Vicarious Liability**

- a) For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred during the employee's employment with the Person, or during the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

#### **20.2 Corporations and Partnerships**

- a) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- b) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

#### **20.3 Compliance Order**



## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

**AUTHORITY: MAYOR & COUNCIL**

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**SUPERSEDES: UTILITY-GARBAGE COLLECTION & DISPOSAL BYLAW – REPEALED #1992-10**

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- a) When a Peace Officer issues a Compliance Order and the person fails to comply with the order in the time specified in the cleanup order, the Peace Officer may commence prosecution for the offense.
- b) A compliance order shall be deemed sufficiently served, if served;
  - i. Posting it on the Property, personally served or by leaving at his residence or business with a person on the premises who appears to be at least 18 years of age,
  - ii. By sending it by ordinary mail or registered mail to the last known address of the Person, firm, or corporation.
- c) When a person obeys a compliance order, no prosecution shall be commenced with respect to the offense
- d) When a Person(s) fails to comply with a Compliance Order, the Town may cause the condition of the premises to be remedied to the extent specific on the Compliance Order and shall charge the costs of the work done to the person or persons to whom the Order was issued and a plus 20% administrative fee will be added to all invoices.
  - i. These costs involved are debt due to the Town and may be recovered as such.
  - ii. The statement and demand for payment may be served by ordinary mail addressed to the occupant at their last known address, and a copy to the owner of the land at their address on the assessment roll.
  - iii. If the person or persons on whom the statement is served fails to pay the amount set out in the statement within 30 days, the Town may cause the amount of the statement to be placed on the tax roll as an additional tax against the land concerned and the amount may be collected in the same manner as any property are due and payable.

#### 20.4 Offences and Penalties

- a) A Person who contravenes any provision of this Bylaw is guilty of an offence.
- b) A Person who is guilty of an offence is liable to a minimum fine of \$100.00 or in an amount not less than that established in Schedule "D" and not exceeding ten thousand dollars (\$10,000.00).
- c) Notwithstanding subsection 18.3(b), any person who commits a second or subsequent offence under this Bylaw within one (1) year of conviction for a first offence under this Bylaw, is liable on summary conviction to a fine double the amount set out for the offence in Schedule "D" to this Bylaw.

#### 20.5 Municipal Tag

- a) Without restricting the generality of subsection 18.2(b), the fine amounts set out in Schedule "D" are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.
- b) A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- c) A Municipal Tag shall be issued and served to a Person:
  - i. Either personally; or



## WASTE MANAGEMENT BYLAW

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- ii. By registered mail to such Person at their last known postal address.
- d) A Municipal Tag shall be in a form approved by the CAO and shall state:
  - i. The name of the Person to whom the Municipal Tag is issued,
  - ii. Particulars of the contravention under this Bylaw;
  - iii. The specified penalty for the offence as set out in Scheduled “D”;
  - iv. That the specified penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag in order to avoid prosecution; and
  - v. Any other information that may be required by the CAO.
- e) Where a Municipal Tag has been issued under this Bylaw, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Municipal Tag.
- f) If a Municipal Tag has been issued and the specified penalty on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the Person to whom the Municipal Tag was issued.
- g) A Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

### 20.6 Violation Ticket

- a) A Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- b) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
  - i. Specify the fine amount established by this Bylaw for the offence; or
  - ii. Require a Person to appear in court without the alternative of making a voluntary payment.
- c) A Person who commits an offence may:
  - i. If a Violation Ticket is issued in respect of the offence; and
  - ii. If the Violation Ticket specifies the fine amount established by this Bylaw for the offence;make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.
- d) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to subsection 18.5(c) and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.



## WASTE MANAGEMENT BYLAW

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### 20.7 Continuing Offences

- a) 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 day.

### 20.8 Appeal Procedure

- a) The Owner or Person who receives an Order pursuant to this Bylaw may request the CAO to review that Order by written notice:
  - i. The written request for a review of an Order issues must be received by the Town Administration with seven (7) days of the receipt of the Order;
  - ii. Upon receipt of a written appeal, the CAO will review the Order, the enforcement file, the Bylaw, and any other materials provided therewith. The CAO may decide to uphold, vary, or revoke the Order and will communicate in writing within ten (10) business days of receipt of the appeal, including where applicable, the date by which the upheld or varied Order must be complied with.

## 21. Rates and Fees

- 21.1 A monthly fee for waste collection and disposal shall be levied against each unit receiving waste collection and disposal services, as per Schedule "C" attached to and forming part of this Bylaw, which may be amended from time to time.
- 21.2 All fees and charges levied in accordance with the Town's Utility Fees Bylaw, regardless of whether service was used or whether the account holder had arranged for another person to make payment.
- 21.3 Residential, Multi-Family Residential, and Non-Residential Premises shall be charged the rates outlined in Schedule "C" for Waste collection and disposal and/or Recycling.
- 21.4 All accounts with the Town of Valleyview, under this section of the Bylaw, shall become due and payable in the same manner as the water and services bill with the garbage fee being added to the said water and sewer bill.

## PART 4 – GENERAL

### 22. Powers of the Chief Administrative Officer

- 22.1 Without restricting any other power, duty, or function granted by this Bylaw, the CAO may:
  - a) Carry out any inspections to determine compliance with this Bylaw;



## **WASTE MANAGEMENT BYLAW**

**BYLAW # 2023-08**

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- b) Take any steps or carry out any actions required to enforce this Bylaw;
- c) Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- d) Establish investigation and enforcement procedures with respect to residential, commercial industrial, or other types of property and such procedures may differ depending on the type of property in question;
- e) Establish areas where activities restricted by this Bylaw are permitted;
- f) Establish forms for the purposes of this Bylaw;
- g) Issue permits with such terms and conditions as are deemed appropriate;
- h) Establish the criteria to be met for a permit pursuant to this Bylaw; and
- i) Delegate any powers, duties, or functions under this Bylaw to an employee of the Town.

### **23. Severability**

- 23.1 All sections of this Bylaw are separate and severable. Should any section or part of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

### **24. Conflict**

- 24.1 Where the provisions of this Bylaw conflict with any other Bylaw enacted by the Town, the provisions of this Bylaw shall apply.

## **PART 5 – TRANSITIONAL**

### **25. Repeals**

- 25.1 This Bylaw repeals the Utility-Garbage Collection & Disposal Bylaw - #1992-10.

### **26. Coming Into Force**

- 26.1 This Bylaw comes into force on the day it is passed.





## WASTE MANAGEMENT BYLAW

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**READ A FIRST TIME ON** July 24, 2023

**READ A SECOND TIME** July 24, 2023

**READ A THIRD TIME** July 24, 2023

**SIGNED AND PASSED ON** July 24, 2023

[NAME], MAYOR  DATE July 24, 2023 Vern Lymburner

[NAME], CAO  DATE July 24, 2023 Ben Berlinguette



## WASTE MANAGEMENT BYLAW

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### **SCHEDULE "A"**

#### **Acceptable Waste**

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##### **Transfer Station**

- Household Waste only

##### **Disposal Grounds**

- Clean wood (non-treated)
- Metal
- Concrete
- Tires

##### **Residential Yard Waste**

- Leaves
- Grass clippings

##### **Large Items, including but not limited to:**

- Large appliances
  - i. Ranges;
  - ii. Refrigerators;
  - iii. Freezers;
  - iv. Washers;
  - v. Dryers;
  - vi. Dishwashers;
  - vii. Water coolers;
  - viii. Hot water tanks;
- Household furniture:
  - i. Sofas;
  - ii. Loveseats;
  - iii. Dining tables;
  - iv. Chairs;
  - v. Headboards
  - vi. Desks
  - vii. Dressers



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### **SCHEDULE “B”**

#### **Non-Acceptable Waste**

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Any material or Waste shall be Non-Acceptable Waste if:

- a) The deposit, collection, or processing of the material or Waste may cause or result in:
  - i) An abnormal or unanticipated health or safety hazard to Collection Personnel or to any person who is inspecting, operating, maintaining, or otherwise working on any facility or equipment for the collection or processing of Waste;
  - ii) An offence under any applicable legislation or any regulation made thereunder;
  - iii) The failure of any product from a Waste processing facility to meet product specifications or objectives or any criteria listed in any applicable legislation;
  - iv) Adverse interference with, impairment of, or damage to any Waste collection or processing equipment, facility, or process;
  - v) Injury to any person, animal, property, or vegetation; or
  - vi) An abnormally noxious odour.
- b) The material or Waste is, contains, or may have contained:
  - i) Any Hazardous Substance including but not limited to:
    - (1) Fuel, any flammable or explosive substance, or Reactive Waste;
    - (2) Monochlorinated or polychlorinated biphenyls (PCBs)
    - (3) Radioactive substances in concentrations in excess of those specified for release to the environment under the Canadian Nuclear Safety and Control Act and applicable regulations; and
    - (4) Pesticides or toxic substances not otherwise regulated in this Bylaw;
  - (5) Biomedical waste including but not limited to:
    - (a) Pathological Waste
    - (b) Human or animal anatomical waste
    - (c) Untreated microbiological Waste
    - (d) Waste Sharps
    - (e) Untreated human blood and body fluids known to contain viruses and agents listed in 'Risk Group 4' as defined in 'Laboratory Biosafety Guidelines' published by Health Canada;
    - (f) Sewage or sludge; or
    - (g) Any material that has been designated as Non-Acceptable Waste by the Director of Public Works;
    - (h) Any material that does not meet the requirements set out by Alberta Environment.



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### **SCHEDULE “B”**

#### **Non-Acceptable Waste**

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##### **Transfer Station**

- Wood
- Metal

##### **Waste Disposal Grounds**

- Waste generated from areas other than within the Town of Valleyview not accepted at this site.
- Waste that would typically go into a Landfill (pit), including but not limited to
  - Furniture (not including solid wood furniture, all hardware removed)
  - Mattresses
  - Shingles
  - Insulation and Drywall
  - Treated Lumber
  - MDF Products
  - OSB

##### **Residential Yard Waste**

- Twigs
- Branches
- Stumps
- Root balls
- Other plant materials deemed Non-Acceptable by the Director of Public Works.

##### **Large Item Pick Up Program**

- Small or light items that can be easily transported and disposed of;
- Various electronics and small appliances eligible for recycling;
- Construction and home demolition materials including, but not limited to drywall and insulation;
- Items located in or around homes. Collection personnel will not enter homes or yards to collect items; items must be placed curbside.
- Any other materials or items that are not eligible for Curbside Collection and are deemed acceptable by the Director of Public Works.



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### **Recycle Centre**

- Wood
- Metal
- All other materials deemed Non-Acceptable by the Director of Public Works.



## WASTE MANAGEMENT BYLAW

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### SCHEDULE "C"

#### Garbage Rates

Effective July 24, 2023

The rates described in Schedule "C" are authorized pursuant to Utility Garbage Collection & Disposal Bylaw #2023-08

<u>Collection Type</u>	<u>Monthly Rate</u>	<u>Disposal Rate (Tipping Fees)</u>
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#### Residential Curbside Collection and Disposal Service

(240L Garbage Cart) .....	\$18.00 .....	Included
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#### Commercial Bin Rentals (Waste and Recyclables)

6 Yard Bin .....	\$75.00 .....	\$30.00 dump
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3 Yard Bin .....	\$38.50 .....	\$15.00 dump
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2 Yard Bin .....	\$27.50 .....	\$15.00 dump
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Recycle Centre and Transfer Station Fees .....	\$0.00 .....	\$0.00
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#### Disposal Grounds

Residential .....	\$0.00 .....	\$0.00
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Non-Residential .....	\$0.00 .....	\$50.00 tandem
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.....	\$0.00 .....	\$100.00 end dump
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#### Residential Yard Waste Pick Up Program

Residential .....	\$0.00 .....	\$0.00
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#### Residential Large Item Pick Up Program

Residential .....	\$0.00 .....	\$0.00
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**WASTE MANAGEMENT  
BYLAW**

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**Recycling Fees**

Residential .....	\$7.00 .....	\$0.00
Commercial .....	\$17.00 .....	\$0.00





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### **SCHEDULE “D”**

#### **Fines and Penalties**

<b>Offence</b>	<b>Section</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>
Dumping at Disposal Grounds without Town permission		\$250.00	\$500.00
Waste from vehicle onto public private property		\$500.00	\$1000.00
Not keeping garbage confined		150.00	\$300.00
Commercial outlets not supplying receptacles		\$100.00	\$250.00
Construction sites not disposing properly		\$500.00	\$1000.00
Disposal of Waste contrary to the Bylaw		\$250.00	\$500.00
Unsecured transportation of waste	14	\$250.00	\$500.00
Unauthorized interference with, disturbing contents of, removing material from, or adding additional material to any Waste Collection Container	5.6	\$250.00	\$500.00
Garbage not in Waste bin	5.8, 9.1(e)	\$150.00	\$500.00
Compost not in proper bags	16.4	\$150.00	\$500.00
Failure to ensure Waste is properly prepared and secured for collection or transport	14.1, 14.2	\$150.00	\$300.00
Failure to notify the Town of any lost, stole, or damaged Waste Receptacle	9.2(f)(i)	\$50.00	\$100.00
Failure to remove waste receptacle from road	9.3 (c)	\$150.00	\$300.00
Failure to maintain access to Waste receptacles / Commercial Garbage tanks	9.3(d) (e) (g); 10.8 (c) (d)	\$250.00	\$500.00
Disposal of Waste from a Non-Residential Premises at a Residential Premises	6.2(b)	\$250.00	\$500.00
Disposal of Waste from a Residential Premises at a Non-Residential Premises	11.2	\$500.00	\$1000.00
Failure to obey Transfer Station signs or instructions	12.2	\$250.00	\$500.00
Improper disposal of Waste at the Recycle Centre and Transfer Station	12.3, 12.4, 12.6	\$200.00	\$400.00



## WASTE MANAGEMENT BYLAW

**BYLAW # 2023-08**

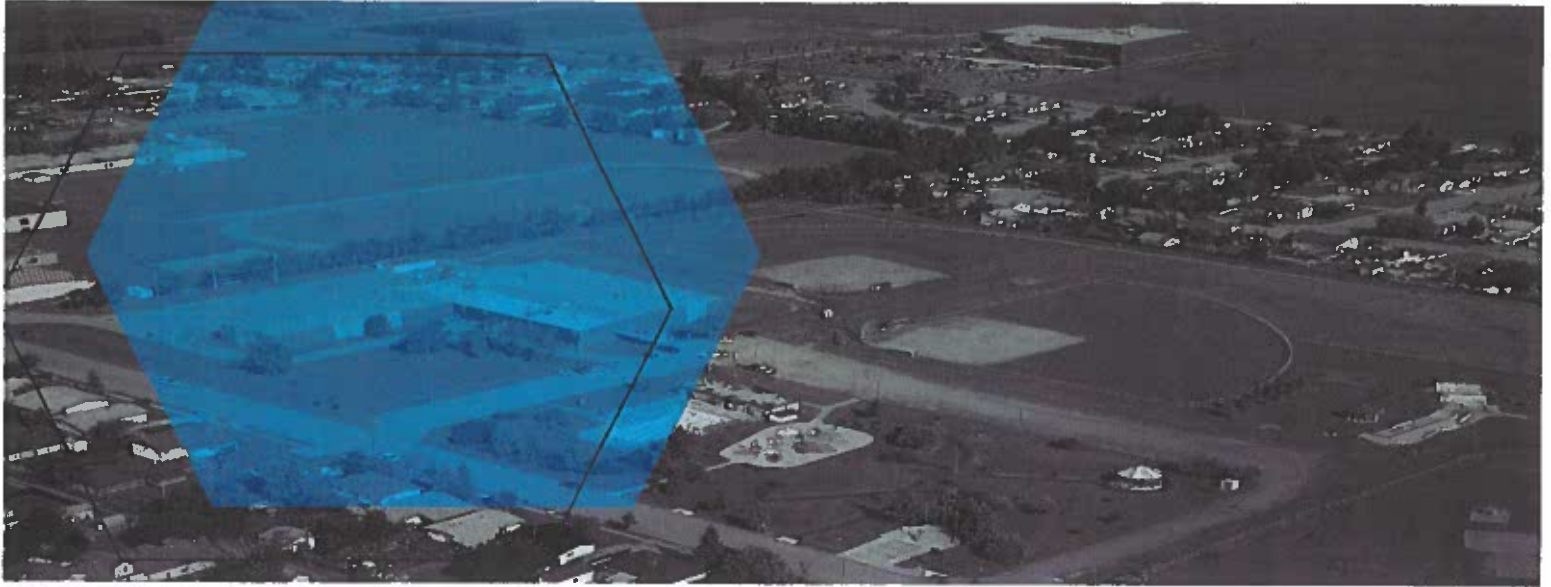
**AUTHORITY: MAYOR & COUNCIL**

**APPROVAL: July 24, 2023**

**EFFECTIVE DATE: July 24, 2023**

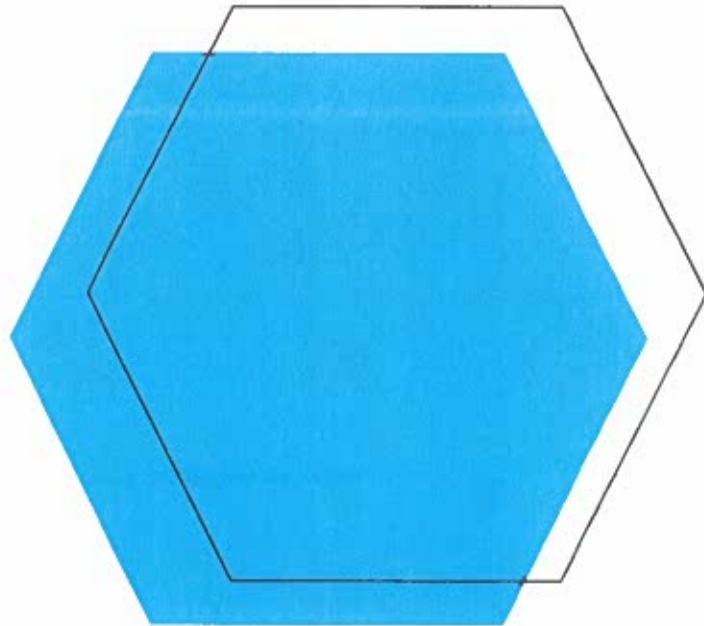
**SUPERSEDES: UTILITY-GARBAGE COLLECTION & DISPOSAL BYLAW – REPEALED #1992-10**

Unauthorized removal of an item or material from the Recycle Centre and Transfer Station	12.5	\$100.00	\$200.00
Unauthorized entrance into the Recycle Centre and Transfer Station	12.9	\$250.00	\$500.00
Failure to properly respond to the release of a Hazardous Substance	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$300.00	\$1000.00
Failure to properly clean up any released Waste	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$500.00	\$1000.00
Failure to properly secure gate of Waste Storage Enclosure in open position.	11.8 (c)	\$100.00	\$200.00
Putting large items out for pickup not scheduled	17	\$250.00	\$500.00



# CORRESPONDENCE

CORRESPONDENCE



## REGULAR COUNCIL MEETING

COUNCIL CHAMBERS

TOWN ADMINISTRATION OFFICE

January 14, 2024

To Valleyview Town Council,

Good afternoon, My name is Rowan Napier. I am a frequent visitor to the Valleyview Municipal Library and attend many programs there. Over the years I have joined in on the board game evenings, Dungeons & Dragons club, and drivers training just to name a few. I hold these programs dear as places to socialize with my friends, learn, and have fun. Even during times such as holidays and poor weather, and even during last year's tragic fires I have found a way to come to the library for their programs.

As well as the after school programs I have used the library for its primary purpose as a library for my whole life. The books I read from the library fuel my love of reading and help to expand my knowledge on countless topics. In times when I thought there was nothing to read the staff have helped me find new books to get lost in for hours.

I believe the library is an essential part of our community. By cutting the library's budget the programs that I hold so dear are under threat of being shut down. The library is the only place that runs extracurricular activities that interest me and thus I believe that it is unfair to remove the only non-sports extracurricular activities available to teenagers in our town.

Please reconsider the recent budget cuts to the Valleyview Municipal Library.

Sincerely,  
Rowan Napier

January  
14th,  
2024

To the Town Of Valleyview  
Council,

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My name is Darcy Napier and I am writing to you to express my support for the Valleyview Town Library in hopes council will reconsider the 50% reduction in funding. Our family uses the library extensively and values the programs they offer to the community. The library and staff go way beyond the traditional lending of books and provide programs aimed at all age levels. Our son especially enjoys the group game sessions which builds community and character in a public setting. I always see the library pitching in during community events to bring a sense of community inclusion and pride to our town. In a time when libraries are celebrated in northern communities it astounds me that council voted for a 50% reduction in funding. This would be crippling to any organization and I struggle to understand why such a heavy handed approach was taken with the library. I do understand that in these fiscally tight times a reduction may be necessary but reducing the available funds to such a positive public institution by half seems punitive. It is my hope that this letter, my voice and the voices of the members of this community will persuade the council to reconsider the devastating funding cut and work with the **staff** of the library so they can continue to provide the fantastic service they do.

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**From:** T.J. Kennedy <[tjken@pm.me](mailto:tjken@pm.me)>

**Sent:** Tuesday, February 13, 2024 12:42 AM

**To:** Ben Berlinguette <[bBerlinguette@valleyview.ca](mailto:bBerlinguette@valleyview.ca)>; Samantha Steinke <[ssteinke@valleyview.ca](mailto:ssteinke@valleyview.ca)>; Ken Wittig <[kwittig@valleyview.ca](mailto:kwittig@valleyview.ca)>; vlymburner@valleyview.ca; Danny McCallum <[dmccallum@valleyview.ca](mailto:dmccallum@valleyview.ca)>; Glenn Burke <[gburke@valleyview.ca](mailto:gburke@valleyview.ca)>; Delwin Slomp <[dslomp@valleyview.ca](mailto:dslomp@valleyview.ca)>; Tanya Boman <[tboman@valleyview.ca](mailto:tboman@valleyview.ca)>

**Subject:** To Valleyview Mayor and Council - Re: Feb. 12 Council Meeting

Dear Mayor Lymburner and Members of the Valleyview Town Council,

I hope this message finds you well. Tonight I had the opportunity to attend my inaugural council meeting as a member of the public, and I feel compelled to share my reflections from the experience. As both a resident and a small business owner in Valleyview, I am writing to express my concerns regarding certain topics discussed during the meeting.

First, I wish to address my strong opposition to the proposed implementation of the "Coalition of Inclusive Municipalities" program. Upon reviewing the associated toolkit document available on the coalition's website, it became apparent to me that there are fundamental issues with aligning our municipality with such initiatives.

Allow me to outline my objections:

1. I fundamentally oppose relinquishing local autonomy to external, unelected bodies such as the United Nations.
2. The UN's Sustainable Development Goals directly conflict with vital industries in our region, notably oil, gas, and agriculture.
3. There are concerns regarding the integrity and motives of those advocating for this initiative, particularly considering instances of harassment (and stalking - a matter currently before the police) I've experienced personally due to differences of opinion.
4. Given the predominantly conservative nature of our community, it is clear that many residents share my reservations about allocating resources towards initiatives that contradict our values.
5. Moreover, I find the underlying principles of SDGs and ESGs (Environmental and Social Governance) to be divisive and discriminatory, which is antithetical to our inclusive community ethos. The misrepresentation of dissenting voices in supporting documentation is troubling and warrants careful consideration - specifically the deliberate mischaracterization of those that are "suspicious of centralized federal authority...and reverent of individual liberty" as right wing extremists. (see attached PDFs from the resource tab at: <https://en.ccunesco.ca/resources>)

I firmly believe that Valleyview has always welcomed individuals of diverse backgrounds with open arms. However, any initiative seeking to introduce inappropriate materials into our educational institutions (such as our schools and library) must be met with staunch opposition.

In light of these concerns, I respectfully urge the mayor and every member of the council, to vote against Valleyview's participation in these programs.

I would also like to address my second concern regarding the audio and video recording of council meetings. I firmly advocate for the recording of meetings to enhance transparency and accountability within our community. In my view, councillors should be willing to stand behind their statements in

recorded proceedings; failure to do so calls into question their suitability for representing our constituents. Regrettably, only one councillor voted in favour of implementing recordings during tonight's session, which I find disappointing. I urge you to reconsider this decision and provide guidance on the process to overturn and amend this motion.

Thank you for your attention to these matters.

Sincerely,

T.J. Kennedy  
Valleyview Resident  
(647) 525-4733  
[tjken@pm.me](mailto:tjken@pm.me)  
P.O. Box 2582  
T0H 3N0

CAUTION: This e-mail has originated from outside your organization.





# The Extreme Right in Canada:

*What it is, and what to do about it?*

Prepared for the Canadian Commission for UNESCO  
by Barbara Perry  
Ottawa, Canada, June 2021

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## Introduction

There is a growing recognition of the need to expand our knowledge and awareness of forms of extremism beyond those inspired by Islamist extremism. A 2015 report that I co-authored with Ryan Scrivens (Perry and Scrivens, 2015; 2019) on the extreme right in Canada concluded that right-wing extremism (RWE) was largely off the radar of law enforcement, intelligence and policy communities; in many cases, there was a denial that RWE existed in Canada or that it threatened public safety or national security. Consecutive national threat assessments have also been largely silent on RWE, in spite of the dramatic rise in extreme right activity across North America from 2016 to 2021.

The threats to human life, to national ideals, and to democracy posed by this movement was brought into stark relief by the January 6, 2021, storming of the U.S. Capitol building by a mob of angry extremists. Groups like the Oath Keepers, The Base, the Proud Boys, the III%ers, even the Ku Klux Klan joined forces, urged by then President Trump, to “take back the steal,” reflecting their misguided belief that the 2020 election had been rigged against him. And their Canadian compatriots cheered them on across social media venues, and staged “sympathetic” protests of their own in half a dozen cities across Canada.

This paper aims to provide a brief description of the contemporary RWE movement in Canada, together with consideration of several strategies that are emerging in an effort to counter the growth of RWE, while underscoring the need for multiple and multi-sectoral approaches.

## Part 1: Understanding Right-Wing Extremism in Canada

There is no shortage of efforts to define what is meant by right-wing extremism. A team of scholars, for example, has adopted a broadly descriptive conceptualization of the term in the American context:

... They are fiercely nationalistic (as opposed to universal and international in orientation), anti-global, suspicious of centralized federal authority, and reverent of individual liberty (especially their right to own guns, be free of taxes), and they believe in conspiracy theories that involve a grave threat to national sovereignty and/or personal liberty, that one’s personal and/or national “way of life” is under attack and is either already lost or that the threat is imminent (sometimes such beliefs are amorphous and vague, but for some the threat is from a specific ethnic, racial, or religious group), and in the need to be prepared for an attack by participating in paramilitary preparations and training, and survivalism (Adamczyk, Gruenewald, Chermak and Freilich 2014: 327).

This is perhaps an apt characterization of the movement in the U.S. but may not be as useful in the Canadian context, where there is less emphasis, for example, on gun rights or survivalism. Jamin (2013) sets out characteristics of RWE that may have more resonance in Canada:

- The valorizing of inequality and hierarchy, especially along racial/ethnic lines
- Ethnic nationalism linked to a mono-racial community
- Radical means to achieve aims and defend the “imagined” community

Perliger’s (2012) list adds some elements:

- Nationalism
- Xenophobia, racism, exclusionism
- Traditional values
- Anti-democratic

Finally, Lauder’s (2002) enumeration of core themes includes:

- Race/ethnicity as the foundation of social solidarity/nationalism
- Xenophobia, racism, especially anti-Semitism
- Illegitimacy of established regime of power

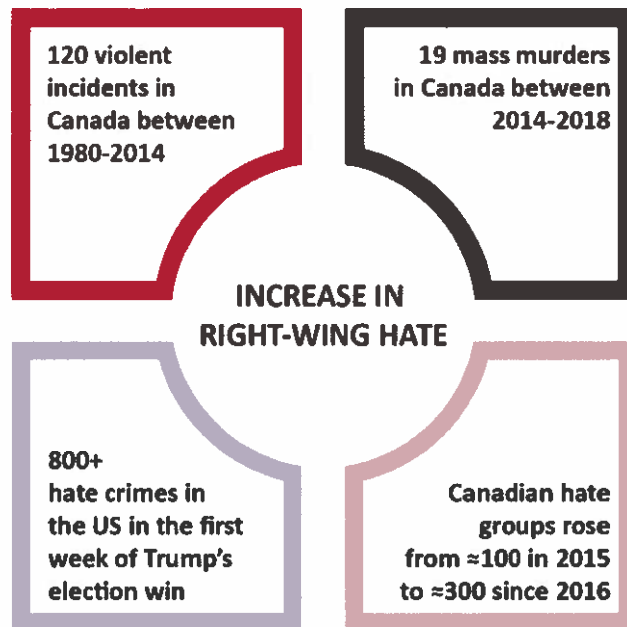
With these frameworks in mind, I suggest that RWE is a loose movement, characterized by a racially, ethnically and sexually defined nationalism. This nationalism is often framed in terms of white power and is grounded in xenophobic and exclusionary understandings of the perceived threats posed by such groups as non-Whites, Jews, immigrants, homosexuals and feminists (Perry and Scrivens, 2015; 2019).

## Violence from RWE Groups

In our 2015 study, Scrivens and I identified over 120 incidents of violence associated with right-wing extremists in Canada between 1980 and 2014, ranging from criminal harassment, to arson, to murder (Perry and Scrivens, 2015; 2019). To put that in context, during the same period, there were just eight incidents associated with Islamist-inspired extremism.

An even more dramatic illustration of the risk posed by this movement are the mass murders that we have witnessed in Canada between 2014 and 2018. In this time period, 19 people were killed by lone actors animated by some thread of right-wing extremist ideologies. In 2014, Justin Bourque shot and killed three RCMP officers. His behavior was shaped by an anti-authority and anti-police stance derived from his right-wing views. In January of 2017, Alexandre Bissonnette killed six Muslim men at prayer in Quebec City. A frequently posted photo of him shows Bissonnette sporting a “Make America Great Again” hat, a reflection of his admiration for Donald Trump, and other right-wing populists such as France’s Marine Le Pen.

Finally, Alek Minassian’s van attack in Toronto took 10 lives. Minassian is an adherent of the misogynistic arm of the movement, Incel, or Involuntary Celibate. For him and his “brethren,” women’s increasing freedom and empowerment represent unacceptable threats to masculinity and the right that it implies to control women’s bodies. While this sentiment is privileged within the Incel movement, it has long been a core principle of the broader far right-wing ideology (Blee and Yates, 2017).



## Where is the RWE movement?

The RWE movement is spread widely across Canada. When we published the 2015 report, we conservatively estimated that there were over 100 active groups across the country, with particular concentrations in Quebec, Ontario, Alberta and BC (Perry and Scrivens, 2015; 2019). Since approximately 2016 we have seen dramatic growth in the numbers, visibility and online/offline activism associated with the extreme right. In the ongoing updated study of RWE (with Ryan Scrivens and David Hofmann), we have documented closer to 300 groups currently active. This includes new groups (e.g., Proud Boys, La Meute), and new chapters of already existing groups (e.g., Blood and Honour, PEGIDA). PEGIDA, for example, was struggling to gain any traction to its Islamophobic platforms in 2013 and 2014, but by 2018 had a national chapter, at least four provincial chapters, and a handful of city chapters (e.g., London, Ontario).

## Shifting approaches

The stereotypical image of extreme right-wing actors is that of the young, male, black-jacketed skinhead. No doubt there remain elements of the movement that do correspond to this traditional guise. Members of La Meute, Atalante, and Blood and Honour, for example, do not make any effort to soften their image. But these “shock troops” are now supplemented by those who would refer to themselves as the “alt-right” – the “intelligentsia” of the movement. In truth, there is little to distinguish the narratives of the so-called alt-right from the traditional extreme right. The messaging is the same – the west is losing its distinct Euro-culture, thanks to the misguided emphasis on multiculturalism and open immigration.

It is largely only the framing of the message that is slightly different – more palatable and less extreme in rhetoric. Rather than use the coarse language of race and racism, the alt-right speaks of cultural loss, or preservation of “Canadian values.” It’s much harder to find fault with this coded language in isolation; it is the cumulative effect of their strident critiques of diversity policy, of immigration trends, of globalization, as examples, that reveals the exclusionary core of their ideology.

Consistent with these shifts is a corresponding increase in the use of the Internet as a tool both for recruitment and community building within and across nations. The hate movement has received a valuable gift in the form of the Internet. Since the birth of the Internet in the 1990s, radical right groups – and individuals who identify with such beliefs – have used the Internet as an alternative form of media, both to publicize messages of hate, and recruit and connect with like-minded others within and beyond domestic borders (Perry and Scrivens, 2016).

## Part 2: Challenging right-wing extremism

In light of the rise of right-wing extremism, strategies specifically aimed at these groups are crucial. In our 2015 report on right-wing extremism (Perry and Scrivens, 2015; 2019; see also Scrivens and Perry, 2017), we explored an array of such interventions, taking our cue from the Institute for Strategic Dialogue (ISD), which has established itself as a global leader in research and praxis around RWE. Their 2014 report, “On the Front Line” (Ramalingham 2014), is an invaluable guide to global best practices around countering RWE. Among the approaches they describe are diverting people from getting involved, responding to and countering hate speech, and pushing public agencies to act (Scrivens and Perry, 2017).





## Diverting people from getting involved

According to the timeworn adage, an ounce of prevention is worth a pound of cure. This is an apt reminder that, in countering RWE, the most effective strategies are proactive rather than reactive. The goal should be to inhibit recruitment to extremist groups. Early intervention is key. Fortunately, a number of organizations across the globe – especially in the United Kingdom – focus explicitly on diverting individuals from getting involved in hate movements in the first place. This is done by engaging directly with individuals on a number of difficult issues, promoting dialogue that addresses the grievances that underpin racist or intolerant views. For example, the Against Violent Extremism (AVE) network is a global organization that counters extremist narratives and prevents the recruitment of ‘at risk’ youth. Made up of former violent extremists and survivors of violent extremism, AVE utilizes the lessons, experiences, and networks of those who have experienced extremism first-hand. Here the aim is to undercut RWE groups’ ability to contact and recruit young people.

Another initiative that is centered on diverting people from engaging getting involved in extremism is Life After Hate (LAH). This non-profit consultancy and speaker agency provides organizations – such as governments, military, international security and intelligence, policy makers, law enforcement officials, and the private sector -- with the information needed to implement long-term solutions to counter all types of violent extremism and terrorism. An important feature of LAH is its core members – they are reformed extremists. A key member and motivational speaker, Tony McAleer, is a former extremist, and one of Canada’s more notorious members of the RWE movement. He shares messages of hope and compassion to a range of audiences, addressing issues around violence and extremism, and offering proactive solutions to divert individuals from entering a life of hate.

## Responding to and countering hate speech

Counter-narratives need to target RWE and potential recruits ‘where they live,’ reflecting the interests and day-to-day realities of those directly involved. This is best done through social media and other similar forms of communication. The most recent Canadian initiative to respond to hate speech, Project SOMEONE (Social Media Education Everyday), is a multinational and interdisciplinary team of researchers and practitioners who are dedicated to countering online hate speech, discrimination, and radicalization through pedagogical practices: educating youth, educators and the public about the patterns of online hate. An important purpose of this initiative is to build an online portal of educational material that is designed to promote digital knowledge and critical thinking skills.

There are also legal and technical avenues that can be used to limit both the dissemination and reach of hate speech and incitement, especially online. Most western nations have attempted to respond to cyberhate and related Internet phenomena through legal regulation and ‘take-down’ approaches. Elected officials have passed new laws to address online extremism, police agencies have trained open-source analysts, and intelligence officers monitor the online activities of extremists of all stripes.

There is another way to use the law to challenge RWE. In the last 20 years, Richard Warman, a Canadian human rights lawyer and activist, has dedicated an enormous amount of his time, energy, and resources

to monitoring the activity of some of Canada's most notorious and vocal white nationalists, and frequently pursuing legal suits against them. His efforts have focused primarily on hate propaganda found on the Internet, with an emphasis on the activity of the far-right. He also initiated several successful complaints against some of Canada's most notorious white nationalist activists. Efforts of individuals like Warman can be effective in challenging hateful narratives online.

## **Ending violent behaviour and fragmenting movements**

Our 2015 study revealed that leaders in the RWE movement are tough and charismatic, but are often unable maintain group cohesion (Perry and Scrivens, 2015; 2019). When they can sustain leadership over time, they usually become known to the police, which in turn can weaken their position within a group. Our findings suggest that a crucial way for law enforcement officials to manage the threat of the far-right is to target their leaders. Doing so is likely render these unstable groups even more unstable, thus fragmenting whatever group cohesion they already have.

Additionally, many individuals seek comfort in the initial appearance of group solidarity, but find that it is transient and temporary. One-to-one interventions, then, are also a logical response to the far-right, pursuing "softer targets" in the movement and building with rapport with them. In order to extend the gap between them and the movement, interventions should highlight the consequences of their actions, followed by helping them to identify a different life path and supporting them to achieve it.

Exit programs across western nations offer individuals with structured routes out of extremist movements. In short, these programs attempt to challenge the belief structures and behavioural aspects of radicalized individuals, offering them pathways out of extremist groups and back into conventional society. According to Ramalingham (2014), these strategies target three processes: group dissolution, disengagement, and de-radicalization. Indeed, an entire industry has grown up around de-radicalization. Across the western world, government agencies and NGOs alike have implemented novel strategies around counter- and de-radicalization (e.g., the Institute of Strategic Dialogue (ISD), the International Centre for Counter-Terrorism (ICCT), the National Consortium for the Study of Terrorism and Responses to Terrorism (START), and the Center for Prevention of Radicalization Leading to Violence (CPRLV)).

## **Managing threats to public order**

As noted early in this paper, the activities of the far-right have not generally been monitored or taken seriously by law enforcement or intelligence communities; rather, there has been a tendency for officials to deny or trivialize the presence and threat. That terrorism associated with RWEs is largely absent from the public agenda in Canada is evident from even a cursory review of the Integrated Terrorism Assessment Centre (ITAC) website.

Its list of Terrorist Incidents, while international in scope, includes only one right-wing terrorist incident: Anders Breivik's horrific attacks in Norway in 2011. It was not until 2019 that any RWE or white supremacist organizations were added to the list of Terrorist Entities (Blood & Honour and Combat 18).

More recently, in February of 2021, The Proud Boys, The Base and Atomwaffen were also added to the list in the wake of the January 6 “insurrection” in Washington D.C.

Additionally, successive *Reports on the Terrorist Threat to Canada* published by Public Safety have been largely silent on the threat posed by RWE groups. Rather, the focus has been almost entirely on Islamist inspired extremists. Where extreme right groups and individuals are mentioned at all, it is generally only to dismiss them as “not ideologically coherent” and thus, not a significant threat. The 2018 report devoted the most space to date to far right extremism – 5 paragraphs across the 35 page document – yet still concluded that “while racism, bigotry, and misogyny may undermine the fabric of Canadian society, ultimately they do not usually result in criminal behavior or threats to national security” (Public Safety Canada, 2019: 8).

Nonetheless, there are a handful of police services that have taken the lead on combating hate crime and extremism in Canada. We found that the Sûreté du Québec clearly keeps a watchful eye on the diverse RWE groups in that province (Perry and Scrivens, 2015; 2019). Edmonton police are also vigilant in their treatment of RWE, putting pressure on them to the extent that they have successfully “beheaded” some of the most active groups through arrests, or even through surveillance that has gently encouraged activists to move on to other cities. Finally, RWE marches and demonstrations in cities like Montreal, London, Calgary, and Vancouver are closely monitored by law enforcement, particularly in the interests of minimizing the likelihood of violent exchanges between RWE and anti-racist activists. The aim is to deter far-right supporters from attending such events, as well as ensuring that demonstrations do not inspire fear within the community, inflame tensions between the far-right and anti-racist activists, for example, or lead to violence.

## Supporting and empowering victims

The inclusion of affected and frequently targeted groups in relevant conversations on community security is key to the creation of safe spaces and to effective community and victim services more generally (Ahmed 2016; Dalggaard-Nielsen 2016; Jacoby 2016). In short, communities and their members want to be heard and to have a voice in policies, practices, and initiatives that affect them. Policymakers need to recognize that anti-hate/extremism initiatives must also be informed by those in the best position to understand what is needed – members of targeted communities themselves, including those who have actually experienced targeted violence. Otherwise, governments run the risk of developing counter-productive initiatives or strategies that are far removed from the experiences and informed insights of affected individuals and communities.

A number of effective civil society organizations have emerged globally and domestically to address the needs of affected communities by acting as a voice for victims of targeted violence. As strong advocates of the Jewish community, B’nai Brith is one such organization. It intervenes in courts on behalf of targeted minority groups, forms important strategic alliances with Canadian NGOs, and develops Holocaust educational programs in schools across the nation, to name but a few initiatives. The organization also offers an Anti-Hate Hotline, whereby victims can call 24/7 for frontline counseling and

assistance. B’nai Brith’s annual audit of antisemitic incidents also provides information on hate crime as well as hate groups.

### **Raising awareness of the problem**

In an environment infused with discourses focused on radical Islam and violence, it has become a daunting challenge for community members, anti-racists, and academics to highlight the presence of the extreme-right in Canada. Consequently, an important first step in confronting the RWE movement is to convince the broader community that it constitutes a threat and, in short, to get RWE on the public agenda.

As a starting point for such initiatives, many NGOs engage in ongoing monitoring of hate incidents and hate groups globally, regionally and nationally. Among these are Human Rights Watch (HRW), Southern Poverty Law Centre (SPLC), B’nai Brith, and the National Council of Canadian Muslims. The readily available reports that are published by these agencies provide an overview of the demographics, distribution and, to a lesser extent, dynamics of hate crime. However, few people seek out such information, so the key is to find ways to expand the audience by “pushing out” the information. Social media has become crucial to a much broader capacity to share information. Most anti-hate organizations like those noted above are very active on Twitter, YouTube, Facebook, and other interactive sites. Use of these platforms will continue to be key to engaging an otherwise uninformed public.

### **Pushing public agencies to act**

A subsidiary component of many of the anti-racist/anti-hate initiatives noted above is their role in challenging public officials to take a public stance against RWE. Contemporary conservative politics that espouse anti-immigrant rhetoric and practices can lend legitimacy to hate mongers in Canada. Collectively, those interested in social justice have a responsibility to continue to pressure government leaders to refrain from exclusionary language and practices. Emerging research consortiums – like the Canadian Network on Terrorism, Security and Society (TSAS) – have an important role to play in nurturing and publicizing work in the area.

A promising new federal initiative emerged in Canada in 2017: the Canada Centre on Community Engagement and Prevention of Violence (CCCEPV). With a five-year, \$35 million budget, the Office is intended to “provide leadership on Canada’s response to radicalization to violence, coordinate federal/provincial/territorial and international initiatives, and support community outreach and research” (Canadian Association of Chiefs of Police 2016). CCEPV has brought with it a broadened understanding of “radicalization” that is inclusive of RWE.

It is particularly important that we embark on these diverse strategies in an interactive and collaborative way. The cumulative impact of a multi-pronged anti-extremism approach cannot be overestimated, which is a recurring theme in the current literature around countering violent extremism (e.g., Macnair and Frank 2017), and should in fact inform our approach to countering hate in all contexts.

To that end, it is critical that there are multi-agency efforts coordinated around acknowledging and responding to the radical right. The violence and divisive rhetoric associated with this movement are shaped by, and in turn shape, the communities around them. The motivations for the formation of RWE beliefs derive from the confluence of multiple social processes and institutions.

It is imperative, therefore, that countering violent extremism (CVE) efforts not only be seen as a law enforcement or intelligence issue (Cohen 2016; Selim 2016) -- it is a social issue (Dalgaard-Nielsen 2016; Jacoby 2016; Macnair and Frank 2017). Law enforcement officials must partner with various anti-extremist and anti-hate community organizations and human rights activists to share both knowledge and ideas for change. Policy makers, law enforcement, and community-based organizations should redouble their collaborative efforts in enhancing and/or developing the sorts of initiatives identified here. The choices are not either/or; rather, multiple programs operating at the level of the individual, the group, and the broader social context can and should operate simultaneously.

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**From:** Town of Valleyview Info <[info@valleyview.ca](mailto:info@valleyview.ca)>  
**Sent:** Tuesday, February 20, 2024 8:00 AM  
**To:** Ben Berlinguette <[bBerlinguette@valleyview.ca](mailto:bBerlinguette@valleyview.ca)>  
**Subject:** FW: roundup is poison

**From:** SANDY BOATES <[sandyboates@shaw.ca](mailto:sandyboates@shaw.ca)>  
**Sent:** Sunday, February 18, 2024 10:21 PM  
**To:** Town of Valleyview Info <[info@valleyview.ca](mailto:info@valleyview.ca)>  
**Subject:** roundup is poison

Dear Mayor, Council and city  
Roundup is poison. It's active ingredient is glyphosate. It's been called the 'DDT of this century', and it is. Vancouver, Quebec and Montreal have banned the use of glyphosate. Glyphosate and other toxic chemicals need to be banned here, as well as in every other city and province across Canada. The regulatory agencies still allow the use of glyphosate and other toxic chemicals (see regulatory capture below). They do not have the right to pollute our environment and our food with these chemicals, poisoning us, bees, our children, our pets and wild animals. They don't have the right to destroy biology and take that away from future generations. Where, when and with who does this begin? It is time for independent thought and action. Please review what I have sent to you. This information has been sent to schools and newspapers across Canada.

Sandy Boates

Vernon, BC

[sandyboates@shaw.ca](mailto:sandyboates@shaw.ca)

Toxic Free Okanagan

The right to clean air, water, soil and food.

The need to find natural alternatives for everything we do.

Canada should be 'all organic'. Chemical agriculture kills the life in the soil... it makes dead soil... can't grow food... the right to food security.

Healthy soil is a carbon sink.

Please share this information with nearby towns and cities.

More information of this is posted on my facebook page, Vernon, BC.

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Letter to the editor

ROUNDUP IS POISON

(Rounding up the Roundup)

The active ingredient in Roundup is glyphosate. It's been called the 'DDT of this century', and it is.

Vancouver, Quebec and Montreal have banned the use of glyphosate as well as other cities and countries around the world. This includes Mexico, Germany and France. And to note, Bayer of Germany, was the company that bought out Monsanto, the owner of Roundup.

Glyphosate could have been 'safe' if it weren't for its off target effects, as like our medicine usually has side effects. Its mechanism of action is to shut down the shikimate pathway in plants which makes some of the essential amino acids, the building blocks of protein. Without these amino acids to make proteins, the plant dies. Human cells do not contain the shikimate pathway, hence 'safe' for humans. This pathway only exists in plants, and in fungi and bacteria that live in the soil and in our intestinal tract. The fungi, bacteria and other microbes in the soil make nutrients available to plant roots, which makes them strong, healthy and nutrient dense, to resist pests and disease naturally. The beneficial microbes in our gut do the same for us and determines human health. Glyphosate, being an antibiotic, as stated on the original patent, is antimicrobial, which means that it kills the beneficial microbes in the soil and in our gut.

Farmers use glyphosate as a weed killer, and a drying agent for grains and beans just

before harvest. Then there are GMO seeds and produce, that are designed to survive the direct spray of this toxic chemical. Glyphosate can be absorbed through the leaves of these plants, so it can't be washed off. We are all consuming residues of glyphosate in our food. It seems to be in almost

everything, wine, honey, boxed cereal, tampons and cotton sheets. GMO produce is in our grocery stores un-labelled.

Glyphosate causes organ damage in livestock, kidney disease in agricultural workers, disrupts hormones and reproduction, has neurological impacts on children, and causes cancer. It is able to break open the tight junctions in our gut membrane as well as other membranes, such as the kidney tubules, blood vessels and the blood brain barrier. In the intestinal tract, some of the contents there are able to seep through the gut barrier and into the blood stream. Each time this happens, the immune system gets turned on which causes chronic inflammation, of said to be the root cause of disease. Glyphosate harms bees, butterflies, deer and other wildlife. Currently there are class action lawsuits in Canada and the United States against Bayer, for the toxic effects of glyphosate by home gardeners, farmworkers and landscapers. It would be best to contact the head office of your grocery store to label GMO produce and to email the city, mayor and council to ban the use of Roundup. We all need to find natural alternatives for everything we do. Canada should be 'all organic'. Healthy soil is a carbon sink.

Sandy Boates

Vernon, BC

[sandyboates@shaw.ca](mailto:sandyboates@shaw.ca)

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### 1. CITIES THAT HAVE BANNED GLYPHOSATE:

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-Vancouver banned private and public use of glyphosate, except for invasive weeds

-Quebec has banned the use of glyphosate in forest management, is attempting to prohibit its use altogether, while the city of Vancouver, British Columbia has enacted a total ban in public parks and outdoor gardens.

-The sale of weed killers containing glyphosate like Roundup has been banned in Montreal since Jan. 1, 2022, but a Radio-Canada investigation found Roundup still on the shelves at seven Rona outlets. Mar 21, 2022

-Laval bans weed killer found in Roundup, Apr 14, 2021 — A suburb north of Montreal has banned the use of glyphosate, the active ingredient in weed killer Roundup.

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### 2. Where is Glyphosate Banned?

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<https://www.wisnerbaum.com/toxic-tort-law/monsanto-roundup-lawsuit/where-is-glyphosate-banned/#~:text=In%20December%20of%2020>

This site lists the countries that have banned or are working towards a ban on glyphosate, or have restricted the use of it

-Australia is using steam technology for weed control

-Czech Republic has banned glyphosate as a weed killer and drying agent

-Denmark banned glyphosate on crops to avoid residues on foods

-El Salvador, glyphosate is linked to deadly kidney disease

-Italy banned glyphosate as a preharvest treatment

-Luxembourg 100% ban on glyphosate

-Mexico is phasing out glyphosate by 2024

-in December of 2019, France's ANSES agency decided that 36 glyphosate-based products will be withdrawn from the market and no longer be permitted for use by the end of 2020

-Germany's cabinet passed legislation in February of 2021 to ban glyphosate by 2024.

-The president of the Portuguese Medical Association has called for a worldwide ban of glyphosate (cities zero pesticide policy)

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### 3. Do Canadian Oats Contain Roundup? - Top Class Actions

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<https://topclassactions.com/canada/roundup/do-canadian-oats-contain-roundup/#~:text=Canadian%20oats%20and%20other%20cereal>

Are Canadian oats sprayed with glyphosate?

Why is Glyphosate in Canadian Oats at All? Glyphosate is the most commonly used herbicide among Canadian farmers. While it is primarily deployed for weed control, glyphosate is also used to dry grain and bean crops prior to harvest. Jan 30, 2020

-in Canada farmers use the herbicide glyphosate for weed control and to dry grains and bean crops prior to harvest, barley, wheat, kamut, spelt, legumes (chick peas, lentils, peas), soybeans (glyphosate residue)

-toxicologist Alexis Temkin comments on glyphosate contamination, 'Glyphosate should not be in any foods at all, particularly those fed to children'

-documents, 2017, Monsanto colluded with the EPA to conceal evidence of glyphosate carcinogenicity, Monsanto's own research on glyphosate safety

-A number of lawsuits filed across Canada by cancer victims claiming their disease was caused by glyphosate exposure. Cases are currently pending in Quebec, Ontario, Manitoba, Alberta and British Columbia. As of November, at least 360 Canadians had filed suits against Bayer. A Toronto law firm has also filed a \$500 million class action on behalf of 60 plaintiffs. Lawsuits for farm workers, landscapers, home gardeners with diagnosis of Non-Hodgkin's Lymphoma, Leukemia, Multiple Myeloma, B-Cell Lymphoma, Bone Cancer, Renal Cell Carcinoma (kidney cancer), Skin Tumors, Pancreatic Islet Cell Tumors, Chromosomal Damage, DNA Damage

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#### 4. Canadian Association of Physicians for the Environment (cape.ca)

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'Let's Protect Alberta Kids from Toxic Pesticides - CAPE'

Canadian Association of Physicians for the Environment

<https://cape.ca> › lets-protect-alberta-kids-from-toxic-p...

Mar 19, 2019 — Children in Alberta are among the unluckiest in Canada when it comes to exposure to pesticides. CAPE doctors are speaking out to help protect ...

<https://cape.ca/lets-protect-alberta-kids-from-toxic-pesticides/>

-ban pesticides on lawns, gardens, green spaces, sport fields

-2,4-D, mecoprop, dicamba, glyphosate

-neurological impacts on children, different types of cancer in adults

-enact a by law prohibiting the use of toxic pesticides

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#### 5. Mom's Across America 'GMO's and Glyphosate or a Bankrupt America'

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[https://www.momsacrossamerica.com/gmos\\_and\\_glyphosate\\_or\\_a\\_bankrupt\\_america](https://www.momsacrossamerica.com/gmos_and_glyphosate_or_a_bankrupt_america)

-80% of our food contains GMO's which is repeatedly sprayed with Roundup as they grow

-non GMO crops, wheat, sugar, quinoa, dry peas and beans are sprayed with glyphosate as a drying agent (desiccant) during harvest

-increase use of glyphosate and GMO'S since the late 1990's

-glyphosate was originally patented as an antibiotic, it is anti-microbial

-glyphosate damages the beneficial gut bacteria which impairs the ability to produce tryptophan and insulin (tryptophan produces serotonin)

-glyphosate, organ damage and cancer in humans

-GMO's cause organ damage in animal studies without added pesticides or herbicides

-solution: label GMO foods, government to ban the use of glyphosate and Roundup, stores to stop selling glyphosate products

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#### 6. Petition to Ban Glyphosate

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<https://petitions.ourcommons.ca/en/Petition/Details?Petition=e-4127>

Does Canada still use glyphosate?

Sep 15, 2022, It's time to ban glyphosate: a call to action to Canadians and residents ...

foecanada.org (Friends of the Earth)

Glyphosate is Canada's most widely sold pesticide – used in agriculture as an herbicide and to kill crops for harvest, in forestry to kill unwanted target trees and vegetation, and as an herbicide on rights-of-way, commercial and residential grounds, golf courses, schools and other landscapes. Sep 15, 2022

Preview of the Petition to Ban Glyphosate – help build a glyphosate-free future in Canada

E-petition to Minister of Health

Whereas:

Glyphosate is Canada's most widely sold pesticide – used in agriculture as an herbicide and to kill crops for harvest, in forestry to kill unwanted target trees and vegetation, and as an herbicide on rights-of-way, commercial and residential grounds, golf courses, schools and other landscapes.

The result is residents of Canada, including infants and children, consume glyphosate residues in their food and water and are exposed to it while outdoors for recreation, occupational activities, hunting and harvesting.

The use of glyphosate harms aquatic and terrestrial species and causes loss of biodiversity thereby making ecosystems more vulnerable to pollution and climate change. It endangers pollinators including wild bees and monarch butterflies and exacerbates wildfires since conifer-only forests burn faster and hotter than mixed forests.

In 2015, the World Health Organization's International Agency for Research on Cancer classified glyphosate as "probably carcinogenic to humans".

Glyphosate has been found to cause injuries to human health including harming cellular function and causing reproductive effects, hormone disruption, microbiome disruption and cancer.

The Pest Control Products Act is referred to Parliament for review and Health Canada is conducting a transformation of the Pest Management Regulatory Agency.

We, the undersigned residents of Canada, call upon the Minister of Health to:

Ban the sale and use of glyphosate to protect human health and the environment; and

Develop a comprehensive plan to reduce overall pesticide use in Canada.

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Glyphosate is unavoidable, brought to you by Monsanto (owned by Bayer) and friends.

Whether you want it or not, glyphosate is in your water, in much of the food you eat, in the soils growing that food, in forests, rivers and streams, and in wildlife.

The science is clear to us that glyphosate is harming our health and the environment, but pesticide regulators are still "monitoring" the science and refusing to take action.

Petition groups, Ontario:

Safe Food Matters

Friends of the Earth

Prevent Cancer Now

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You can still watch for free "Into the Weeds", on CBC's Passionate Eye.

It follows Dewayne "Lee" Johnson, a former groundskeeper who takes on Bayer, a multinational agrochemical corporation after diagnosis of a terminal cancer linked to his exposure to Roundup.

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7. Wisner Baum, Law Monsanto Roundup Lawsuit

Where is Glyphosate Banned? \*\*\*Updated May 2023

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<https://www.wisnerbaum.com/toxic-tort-law/monsanto-roundup-lawsuit/where-is-glyphosate-banned-/#:~:text=Portugal%3A%20Prohibits%2>

Vancouver has banned private and public use of glyphosate, aside from the treatment of invasive weeds.

Germany: Germany's cabinet passed legislation in February of 2021 to ban glyphosate by 2024. German farmers will need to reduce the use of glyphosate until the ban takes effect in 2024. Certain retail stores in Germany have already pulled glyphosate-based herbicides like Roundup from shelves.

Luxembourg: The country will become the first in the EU to completely ban all products containing glyphosate.

Mexico: In June of 2020, Mexico's Environment Ministry announced that the country will phase out glyphosate by 2024, citing human health and environmental concerns. In April of 2021, a judge ruled in Bayer's favor in a court challenge of the government's glyphosate ban proposal. Bayer's win was temporary because in October of 2021, Mexico's Supreme Court denied four appeals of the proposed ban from major agricultural corporations. The ruling affirmed the country's glyphosate ban.

Bahrain: According to Oman's Ministry of Agriculture, Bahrain and five other countries in the Gulf Cooperation Council (GCC) have banned glyphosate.

Netherlands: Banned all non-commercial use of glyphosate.

Oman: Eng Saleh al Abri, director general of agricultural development in Oman's Ministry of Agriculture and Fisheries (MoAF), told a reporter that glyphosate "hasn't been available in Oman since 2016." Eng Abri added, "This active ingredient has been banned throughout the GCC (Gulf Cooperation Council)



since last year." In addition to Oman, the GCC includes Saudi Arabia, Qatar, Kuwait, Bahrain, and the United Arab Emirates (UAE).

Portugal: Prohibits the use of glyphosate in all public spaces. The president of the Portuguese Medical Association has also called for a worldwide ban of glyphosate.

Qatar: According to Oman's Ministry of Agriculture, Qatar and five other countries in the Gulf Cooperation Council (GCC) have banned glyphosate.

Saudi Arabia: Issued a glyphosate ban along with five other countries in the Gulf Cooperation Council (GCC).

Scotland: Aberdeen cut back its use of herbicides and Edinburgh's City Council voted to phase out glyphosate. In November of 2017, five of Scotland's six EU parliamentarians voted in favor of a motion that would phase out glyphosate by 2022.

Spain: According to Kistiñe Garcia of the Spanish NGO, Ecologistas en Acción, Barcelona, Madrid, Zaragoza and the region of Extremadura have decided to ban glyphosate. The regions of La Rioja (major Spanish wine region) and Aragon have also approved motions against endocrine-disrupting chemicals, which includes glyphosate.

United Arab Emirates: Issued a glyphosate ban along with five other countries in the Gulf Cooperation Council.

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#### 8. ScienceDirect Review: Feed residues of glyphosate, livestock

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[https://www.sciencedirect.com/science/article/pii](https://www.sciencedirect.com/science/article/pii/S1751731120300264)

<https://www.sciencedirect.com/science/article/pii/S1751731120300264>

Glyphosate is the active ingredient in a wide range of herbicides used for weed control, including weed control in genetically modified, glyphosate-insensitive crops. In addition, glyphosate herbicides are used for pre-harvest desiccation of glyphosate-sensitive crops. Together, the use of glyphosate leads to residues in livestock feed. In addition to its herbicidal property, glyphosate has documented antimicrobial and mineral-chelating properties.

whether dietary glyphosate residues may affect livestock gut microbiota and/or mineral status potentially with derived unfavourable effects on animal health and productivity.

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#### 9. Oregon State University: What are the symptoms of glyphosate poisoning in cattle? Signs of Toxicity - Animals

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<http://npic.orst.edu/factsheets/archive/glyphotech.html#:~:text=Signs%20of%20Toxicity%20-%20Animals,hypersalivation>

Glyphosate Technical Fact Sheet

Animals exposed to formulated glyphosate herbicides have displayed anorexia, lethargy, hypersalivation, vomiting, and diarrhea.

Target Organisms

In plants, glyphosate disrupts the shikimic acid pathway through inhibition of the enzyme 5-enolpyruvylshikimate-3-phosphate (EPSP) synthase. The resulting deficiency in EPSP production leads to reductions in aromatic amino acids that are vital for protein synthesis and plant growth.<sup>1,4</sup>

Glyphosate is absorbed across the leaves and stems of plants and is translocated throughout the plant.<sup>1,3</sup> It concentrates in the meristem tissue.<sup>10</sup>

Plants exposed to glyphosate display stunted growth, loss of green coloration, leaf wrinkling or malformation, and tissue death. Death of the plant may take from 4 to 20 days to occur.<sup>4,10</sup>

The sodium salt of glyphosate can act as a plant growth regulator and accelerate ripening of specific crops.

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#### 10. SAFE FOOD MATTERS GOES BACK TO COURT JUNE 13 WITH HEALTH CANADA ON GLYPHOSATE

<https://safefoodmatters.org/tag/glyphosate/>

<https://safefoodmatters.org/2023/06/08/safe-food-matters-goes-back-to-court-with-health-canada-on-glyphosate/>

So what's going on? (copied from the site)

THEORY OF REGULATORY CAPTURE

Canadian scholars have recently written on the phenomenon of “regulatory capture”. The article, published in *Toxics*, makes the case that PMRA’s evaluation of glyphosate was deficient, as a result of the “scientific and regulatory captures of relevant Canadian agencies by the pesticide industry”. The effect of the capture is PMRA “promotes commercial interests over the imperatives of public health and environmental protection”.

The authors point out three strategies used in regulatory capture:

Corporate shaping of the scientific narrative;

Hiding the risks of a product; and

Creating a long-lasting and close “intimate” relationship with regulatory agencies.

All three of these strategies are present in PMRA’s evaluation of glyphosate and its treatment of our objections.

The “Monsanto Papers” formed part of the glyphosate evaluation by PMRA. PMRA itself admits in its glyphosate final decision that it prefers industry studies over published scientific literature.

The PMRA did not examine the risks of the product, Roundup, but only the “active ingredient” glyphosate, which allowed PMRA to ignore all sorts of science showing the entire product is more dangerous than glyphosate itself.

Third, there is a close and intimate relationship between PMRA and industry.

We will bring evidence of this close relationship on June 13. Canada’s lobby registry shows extensive contacts between senior PMRA staff and Bayer/Monsanto, as well as their agent CropLife. CropLife annual reports describe in detail their efforts to influence PMRA. LinkedIn profiles show that a significant number of CropLife senior employees were previously employed by Health Canada, CFIA, Agriculture and Agri-Food Canada, among other federal government positions.

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#### 11. Alternatives to Pesticides, City of Chilliwack, BC

[www.chilliwack.com/pesticidefree](http://www.chilliwack.com/pesticidefree)

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Port Moody, BC: has banned the use of all pesticides on public and private lands since 2003.

Mission, BC: does not use glyphosate in the management of their parks or municipal forest, which constitutes about 50% of the City’s area.

Coldstream, BC: does not use Roundup in their weed control program.

Invermere, BC: banned Roundup several years ago.

White Rock, BC: We have a bylaw in place and on our website and the use of glyphosate (RoundUp) is not permitted for cosmetic purposes.

<https://www.whiterockcity.ca/202/Cosmetic-Pesticide-Use-Bylaw>

Burnaby, B.C.: Apr 8, 2009 — Cosmetic pesticide use in the City of Burnaby, B.C. has officially been banned and is now officially pesticide-free.

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#### 12. Glyphosate Technical Fact Sheet

Oregon State University

<http://npic.orst.edu/factsheets/archive/glyphotech.html#:~:text=Glyphosate%20is%20absorbed%20across%20the%20is%20>

Glyphosate is absorbed across the leaves and stems of plants and is translocated throughout the plant. It concentrates in the meristem tissue. Plants exposed to glyphosate display stunted growth, loss of green coloration, leaf wrinkling or malformation, and tissue death.

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#### 13. Using Glyphosate - Department for Environment and Water

Department for Environment and Water

<https://cdn.environment.sa.gov.au/docs/resp...PD>

<https://cdn.environment.sa.gov.au/landscape/docs/hf/responsible-chemical-use-using-glyphosate-fact.pdf>

Does glyphosate spray go through roots or leaves?

Glyphosate is absorbed through plant leaves. It is then carried by the sap stream into the plant roots, where it prevents them from absorbing nutrients from the soil – thereby killing the plant. Annual weeds, including grasses and most broad-leaved plants, are easily controlled using Glyphosate.

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**February 21, 2024**

**MAYOR AND COUNCIL**

4909-50<sup>TH</sup> STREET, VALLEYVIEW, AB, T0H 3N0

**RE: Valleyview Municipal Library Trustee Appointment**

With this letter I would like to indicate that the Valleyview Municipal Library has a different understanding than the Town of Valleyview regarding the process for Board members (Trustee) appointment as laid out in the Memorandum of Understanding between The Town of Valleyview and The Town of Valleyview Library Board dated October 13, 2020 (hereinafter MOU).

It is the Library's understanding and position that vacancies on the Board will be advertised by the Library as per

**10.2.5 When a vacancy exists on the Library Board, the Board will advertise to fill the position(s) as soon as possible.**

In our opinion, this means that the Library Board is responsible for advertising for new Board members.

The Alberta Libraries Act Chapter L-11 states that a Board needs between 5 and 10 members as per

**Part 1 4(1) A municipal board shall not consist of fewer than 5 and not more than 10 members.**

Conversations with the Public Library Services Branch have given us the understanding that vacancies need to be advertised when there are fewer than five members.

Regarding the application process, our understanding is that the Library receives the applications and then forwards recommendations to the Town who is then responsible for appointments. Section 10.2.6 of the MOU states the following.

Individuals interested in becoming library trustees shall write an application letter to the Library Board outlining their qualifications or skills that will be of benefit to the Library Board. The Library Board will forward recommendations to the Town of Valleyview regarding appointment of trustees. The MD of Greenview may submit trustee applications to Town Council for appointment to the Library Board.

The Library would appreciate clarifying this process with the Town of Valleyview and would be glad to arrange for someone from Public Library Services Branch to attend if this seems advantageous.

Regardless, the Library Board will follow the process that the Town of the Valleyview has initiated to appoint new Board members. This we are doing not because we agree that this is the process laid out in our MOU but rather to work cooperatively with the Town. We are grateful for the support that the Town of Valleyview has consistently provided over the years. Moreover, we are eager to pursue greater collaboration with the Town of Valleyview and to work together to provide services to the community of Valleyview.

Please let us know when we can meet to work towards aligning our understandings of the MOU.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Norris', written in a cursive style.

Adam Norris

Valleyview Municipal Library Chair

**CC: Valleyview Municipal Library Board**