

**FOOTHILLS COUNTY
BYLAW NO. 9/2019**

IN THE PROVINCE OF ALBERTA

A BYLAW BEING ENACTED TO AMEND BYLAW 60/2014 – MUNICIPAL DISTRICT OF FOOTHILLS NO. 31
LAND USE BYLAW

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended authorizes a municipality to pass and amend a Land Use Bylaw;

AND WHEREAS the Council of the Foothills County deems it necessary and in the public interest to amend the Municipal District of Foothills No. 31 Land Use Bylaw 610/2014;

NOW THEREFORE, the Council of Foothills County, duly assembled, enacts as follows:

1. That the Municipal District of Foothills No. 31 Land Use Bylaw 610/2014 be and is hereby amended in manner set out in the following sections.
2. Appendix D “Specified Penalties for Offences” is deleted in its entirety and replaced with the Appendix D document attached to this Bylaw as Schedule “A”;
3. Section 2.5 is amended by:

(a) The inclusion of the definition of “Portable Sign” with the following:

Portable Sign: a sign, regardless of how mounted or supported, capable of being moved and which is not attached or affixed to a building or the ground.

(b) The deletion of the definition of Vehicle Sign and its replacement with the following:

Vehicle Sign: a sign that is mounted, affixed or painted onto an operational or non-operational vehicle, including but not limited to trailers with or without wheels, Sea-cans, wagons, motor vehicles, tractors, recreational vehicles, mobile billboards or any similar mode of transportation that is left or placed at a location clearly visible from a highway.

4. Section 7.18.1.1 is inserted as follows:

“Where a contravention of this Bylaw 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 is guilty of such an offence and is liable to a penalty for each such day.”

5. Section 7.18.3 is amended by the insertion of the word “minimum” before the first occurrence of the phrase “specified penalty”.
6. Section 7.19.1 is deleted and replaced with the following:

Where a Community Peace Officer or Bylaw Enforcement Officer of the municipality believes, on reasonable and probable grounds, that a person has committed an offence with respect to this Bylaw, the officer may issue a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34, and as amended from time to time.

7. Section 9.24.1 is amended by:

(a) The deletion of the definition of “Portable Sign” and its replacement with the following:

Portable Sign: a sign, regardless of how mounted or supported, capable of being moved and which is not attached or affixed to a building or the ground.

(b) The deletion of the definition of Vehicle Sign and its replacement with the following:

Vehicle Sign: a sign that is mounted, affixed or painted onto an operational or non-operational vehicle, including but not limited to trailers with or without wheels, Sea-cans, wagons, motor vehicles, tractors, recreational vehicles, mobile billboards or any similar mode of transportation that is left or placed at a location clearly visible from a highway.

8. Section 9.24.10 is amended as follows:

(a) Subsections (a) and (b) are deleted in their entirety and replaced as follows:

- (a) ***Vehicle Signs, except for signs exclusively advertising the business for which the vehicle is used, where the vehicle:***
- i. is a motor vehicle or trailer,***
 - ii. is registered and operational; and***
 - iii. used on a regular basis to transport personnel, equipment or goods as part of the normal operations of that business.***

(b) Subsections (d) and (e) are deleted in their entirety.

(c) The remainder of Section 9.24.10 is renumbered accordingly.

8. Subsection 9.24.11(j) is amended by deleting the reference to Section 9.24.9 and replacing it with Section 9.24.10.

9. The Municipal District of Foothills No. 31 Land Use Bylaw 610/2014 is renamed as the "Foothills County Land Use Bylaw 610/2014.

10. This bylaw shall come into force and have effect from and after the date of third and final reading thereof.

READ a first time this _____ day of _____, A.D. 2019.

READ a second time this _____ day of _____, A.D. 2019.

READ a third time this _____ day of _____, A.D. 2019.

Larry Spilak, Reeve

Harry Riva Cambrin, CAO

Schedule "A"
APPENDIX D

Specified Penalties for Offences

Table A – Specified Penalties For Offences

Section	Description	Minimum Specified Penalty	Specified Penalty for Second Contravention (within twelve month period)	Specified Penalty for Third and Subsequent Contraventions (within twelve month period)
7.18.2(a)	Fail to comply with remedial order	\$2500.00	\$5000.00	\$7500.00
7.18.2(b)	Fail to comply with order to remedy	\$2500.00	\$5000.00	\$7500.00
7.18.2(c)	Fail to comply with stop order	\$2500.00	\$5000.00	\$7500.00
7.18.2(d)	Obstruct / interfere with Designated Officer Community Peace Officer / Bylaw Enforcement Officer in execution of their duties	\$2000.00	\$4000.00	\$6000.00
9.24.11(a)	Erect / place / affix / locate or allow any person to erect / place / affix / locate a sign that obstructs visibility at roadway intersections	\$2000.00	\$4000.00	\$6000.00
9.24.11(b)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a sign on private property without the consent of owner	\$750.00	\$1500.00	\$2250.00
9.24.11(c)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a sign not compliant with Dark Sky Bylaw	\$750.00	\$1500.00	\$2250.00
9.24.11(d)	Erect /place / affix / locate , or allow any person to erect / place / affix / locate an animated or illuminated sign without approval	\$750.00	\$1500.00	\$2250.00
9.24.11(e)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a temporary sign exceeding 14 days at location	\$750.00	\$1500.00	\$2250.00
9.24.11(f)	Erect place / affix / locate, or allow any person to erect / place / affix / locate a sign not	\$750.00	\$1500.00	\$2250.00

	complying with setback requirements			
9.24.11(g)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a sign within 300 m from limit of controlled highway without permit	\$2000.00	\$4000.00	\$6000.00
9.24.11(h)	Erect place / affix / locate, or allow any person to erect / place / affix / locate a sign within 800 m. from centre point of intersection of a controlled highway / another highway / public roadway without permit	\$2000.00	\$4000.00	\$6000.00
9.24.11(i)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a sign requiring a development permit without such permit	\$2000.00	\$4000.00	\$6000.00
9.24.11(j)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate any prohibited sign	\$2000.00	\$4000.00	\$6000.00
9.24.11(k)	Erect / place / affix / locate, or allow any person to erect / place / affix / locate a non-compliant sign	\$2000.00	\$4000.00	\$6000.00