

**MUNICIPAL DISTRICT OF BIGHORN No. 8**

**POLICY**

**Name:** BYLAW ENFORCEMENT ACTIVITY

**Number:** G-16

**Page:** 1 of 3

**PURPOSE AND INTENT**

The purpose of this Policy is to further clarify, in conjunction with M.D. Policy G-7, Complaints Policy, how Bylaw Enforcement will pursue compliance with M.D. bylaws, by providing a general guideline on bylaw education, when enforcement will be done in a proactive fashion, when enforcement will be reactive (responding to complaints) in nature, and what focused enforcement will involve.

**POLICY**

The M.D. of Bighorn provides a Bylaw Enforcement service, whose goal is to obtain compliance with M.D. bylaws, primarily through education rather than issuance of tickets/tags/summons to offenders.

While the M.D. Bylaw Enforcement operates mainly in a reactive nature (by requiring written signed complaints to be filed, in accordance with the M.D. Complaints policy), Officers are authorized to enforce bylaws in a proactive fashion, when, in the sole and absolute opinion of the Officer:

- violations are occurring on municipal property: streets, roads, alleys, sidewalks, parks, boulevards, and other municipally-owned spaces;
- a situation may result in injury to humans and/or domestic animals;
- a situation may result in damage to property or disturbance of the peace;
- a situation may be a threat to the safety, health and well-being of all or a part of the community.

Reactive enforcement should generally be undertaken in situations:

- that are not immediately injury/health threatening,
- that pose no current danger of damage nor cause any immediate disturbance of the peace/loss of enjoyment of property.

**Education**

Bylaw Enforcement's primary goal is compliance with M.D. bylaws, and this is best accomplished through educating the public on Bighorn bylaw provisions.

Education will be undertaken in the following fashion:



1. Face-to-Face/Phone interaction: Officers will discuss M.D. bylaw provisions and provide information to the persons involved on bylaw infractions. Discussions will include a clear indication of what the violation is, and how the person's actions are violating the M.D. bylaw(s), what the person needs to do (cease and desist, move or remove something causing the violation, etc.), and what the consequences could be, if the violation continues or if the person does not comply with the Bylaw Enforcement Officer's direction.
2. Newsletter articles: The Officers will run, on an as-needed or anticipated basis, articles or notices providing information on specific M.D. bylaws, in the quarterly M.D. newsletters. The information provided shall be timely (for example, articles about fireworks to be run in March/June newsletters, in anticipation of spring/summer holidays that may involve firework usage) and provide information in a clear, easy-to-understand fashion.
3. Website: Copies of the M.D. bylaws that have enforcement requirements shall be made available on the Bighorn website for public perusal.
4. Social media: The M.D. may participate in social media communications, when and where timely, in order to provide information on Bighorn bylaws.
5. Special notices: on an infrequent basis, it may be necessary to send out direct-mail special notices to all M.D. property owners (or a segment of property owners, depending on the situation), providing an update on a problem that is occurring or may occur, and giving information on M.D. bylaws' position with respect to the problem.

### **Proactive Enforcement**

The following bylaws (as may be amended, from time to time) can thus be enforced proactively by the Bylaw Enforcement Officers, using their discretion reflective of the circumstances on a case-by-case basis:

- Hamlet Reserve Protection Bylaw 09/05
- Streets & Roads Bylaw 03/08
- Fire Services Bylaw 07/10
- Fireworks Prohibition Bylaw 17/15
- Solid Waste Management Bylaw 08/05
- Noise Control Bylaw 07/09
- Any of the Water and Sewer Bylaws (Bylaws 18/05, 14/06, 20/10, 05/14, 04/15, 06/15)

### **Reactive Enforcement**

The following bylaws (as may be amended, from time to time) can be enforced primarily upon receiving written complaints, in accordance with the M.D.'s Complaints policy, but may be enforced proactively, at the discretion of the Bylaw Enforcement Officers, dependent upon the circumstance:



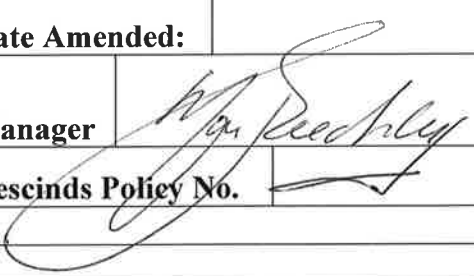
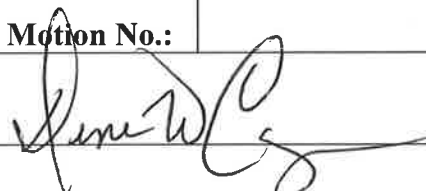

- Dog & Domestic Animal Control Bylaw 06/05
- Nuisance Control Bylaw 09/97
- False Alarm Bylaw 14/02
- Land Use Bylaw 04/10

**Focused Enforcement**

Council may direct that certain bylaws or certain sections of bylaws be the focus of Bylaw Enforcement, during identified periods. For example, Council may direct that, during a certain week/month, Bylaw Enforcement focus on ensuring dogs are licensed and that owners are aware of their responsibilities as pet owners. These focused enforcement sessions could include a higher emphasis on public education; more issue-specific patrolling; greater interaction with the public through personal contact, website information, or door-to-door engagement; etc.

**Provincial Statute/Regulations Enforcement**

In their role as Community Peace Officers, the Bylaw Enforcement Officers have been authorized to enforce particular legislation and the regulations thereunder, pursuant to their Peace Officer Appointment certificates issued by the Department of Justice and Solicitor General. In accordance with their appointments, the Bylaw Enforcement Officers shall enforce the legislation and regulations thereunder in accordance with normal provincial practice, in regards to whether enforce proactively or upon complaint only.

<b>Date Approved:</b>	September 14, 2016	<b>Motion No.:</b>	241/16
<b>Date Amended:</b>		<b>Motion No.:</b>	
<b>Manager</b>		<b>Reeve</b>	
<b>Rescinds Policy No.</b>			
			<b>* - Denotes change</b>
			<b>Motion No.</b>