

SUMMER VILLAGE OF BIRCH COVE

AGENDA

Thursday, October 23rd, 2025 – 4:00 p.m.
Wildwillow Administration Office and via zoom
2317 Township Road 545 Lac Ste. Anne County

1.	<u>Call to Order</u>		
2.	<u>Agenda</u>	a)	Thursday, October 23 rd , 2025 Regular Council Meeting <i>(that Council approve as is or as amended)</i>
3.	<u>Minutes:</u> Pages 1-8 Pages 9-11	a) b)	Monday, August 18 th , 2025 Organizational Meeting Monday, August 18 th , 2025 Regular Council Meeting <i>(approve as presented or with amendments)</i>
4.	<u>Public Hearings:</u>		N/A
5.	<u>Delegations/ Appointments:</u>		N/A
6.	<u>Business Arising:</u>	a)	
7.	<u>Bylaws & Policies</u> Bylaw 170-2025 Land Use Bylaw Pages 12-63	a)	Bylaw 165-2025 (170-2025), Land Use Bylaw – this Land Use Bylaw was given first reading on April 17 th , 2025 after several months of revision and discussion by Council. The required Public Hearing was held on June 19 th , 2025 and subsequent second reading was given. As an election was held prior to third reading, Administration reached out to Municipal Affairs with regard third reading and the validity of the Bylaw with new Council members. New <i>Municipal Government Act</i> (MGA) amendments came into effect October 31 st , 2024 which prohibits more than one public hearing on a proposed bylaw. As such, Bylaw 165-2025, Land Use Bylaw is effectively dead. To move forward, we have to issue a new Bylaw number (170-2025) and begin the process again, i.e. 1 st reading, Public Hearing, 2 nd and 3 rd reading. <i>(review the draft Land Use Bylaw and bring back to a future Council meeting for discussion and/or consideration of first reading)</i> <i>(that Bylaw 170-2025, being a Bylaw to amend the Land Use Bylaw with respect to Legislative Updates, and Short Term Rentals, be given first</i>

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	Bylaw 169-25 Nuisances and Unsightly Premises Bylaw Pages 64-78	b)	reading and that a Public Hearing be scheduled for _____ 2025 during the regular Council meeting) or (some other direction as given by Council at meeting time) As Council will recall, during the month of July there were several incidents of unsecured garbage which was not only unsightly but caused several unwanted “pests” that moved into the neighborhood. Administration had sent out the a copy of the old bylaw and proposed new bylaw on July 24th, 2025 for Council review. This is now in front of Council for consideration. (that Bylaw 169-25, Nuisances and Unsightly Bylaw, be approved for first reading) (that Bylaw 169-25 be approved for second reading) (that unanimous consent be given for Bylaw 169-25 to proceed to third reading in one sitting) (that Bylaw 169-25 be given third and final reading as presented or amended) Or (some other direction as given by Council at meeting time)
	Bylaw 171-25 Fire Bylaw Pages 79-101	c)	Bylaw 171-2025, Fire Bylaw – the Summer Village of Birch Cove participated in the initiative to contract legal services to review the Fire Bylaw for our communities. The Bylaw had previously been sent to the Summer Village’s fire provider (Town of Barrhead) for review and the copy attached has been vetted by Fire Chief Gary Hove, Town of Barrhead as applicable to the Summer Village of Birch Cove. The changes to the Bylaw include a much more robust definitions section, addresses cost responsibilities, addresses fireworks, updated references to the National Fire Code and the Forest and Prairie Protection Act and generally is updated to current standards. With the update to this Bylaw, we will be rescinding Bylaw 115-13, Fire Extinguishing Costs to Tax Roll and 123-23, Open Air Bylaw. Also note that a penalty schedule has been included. (that Bylaw 171-2025, Fire Bylaw, being a Bylaw to establish fire services, to regulate the prevention and control of fires, to regulate fire works, and to authorize the recovery of fire related fees, expenses and charges, be given first reading as presented or amended)

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			<i>(that Bylaw 171-2025, Fire Bylaw be given second reading, as presented or amended)</i> <i>(that unanimous consent be given to proceed to third reading of Bylaw 171-2025, Fire Bylaw in one sitting)</i> <i>(that Bylaw 171-2025, Fire Bylaw be given third and final reading, as presented or amended)</i> or <i>(some other direction as given by Council at meeting time)</i>
8.	<u>New Business:</u>	a)	Draft 2026 Operating Budget – supplied to Council is our first review of the draft 2026 Operating Budget for the Summer Village of Birch Cove. This draft budget will be reviewed at meeting time. <i>(that the 1st review of the Draft 2026 Operating Budget be accepted for information, and that Administration make changes to this Draft 2026 Operating Budget as directed at meeting time, and that a 2nd review of the updated Draft 2025 Operating Budget take place at the December 18th, 2025 Council meeting)</i>
		b)	2026 Interim Operating Budget, each year Council must pass an Interim Operating Budget until such time as the final operating and capital budget is passed. <i>(that an Interim 2026 Operating Budget be passed at ½ the 2025 Approved Operating and Capital Budget and that this Interim 2025 Operating Budget cease to have any force and effect once the 2026 Operating and Capital Budget is approved)</i> Or <i>(some other direction as given by Council at meeting time)</i>
		c)	2026 Capital Budget – previously Alberta Municipal Affairs amended the Municipal Government Act to require that the Capital Budget for the following year be passed by December 31st, of the previous year. This change is to allow municipalities to have the spending authority at the start of the year for engineering, planning and so forth. The Capital Budget may be amended in the new year moving forward, this just allows projects that require an early start in the year to move forward. Administration has

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			drafted the Capital Budget based on some of the discussions we have had and require approval of this Budget. <i>(that Council approve the 2026 Capital Budget as presented with the understanding that this may be amended moving forward, depending on project approval)</i>
Pages 102-110	b)		Computer and New Software System – the Summer Village of Birch Cove has not had their own computer since the last computer was given to the previous CAO upon leaving. Consequently, the records are somewhat “scattered” on various computers which does not allow access to all the general and financial information on one site. This makes it very difficult for more than one person to access information when required and does not provide for when personnel is off on vacation or ill. The current software used for the accounting system is Account Edge, which is/was never a software for municipal purposes. The software is not user friendly in that, when running taxes, each individual account must be added separately, inputting the mill rate, seniors requisition, school requisition, policing etc for each account. This leaves room for error and takes an inordinate amount of time. As well, the program is not user friendly and only holds 2 years of information in the system at a time as it doesn’t historically roll into each year. Administration is having to look at our service levels per our current contract because of these issues and would like to discuss with Council an alternate solution. Wildwillow Enterprises Inc. has been working with Muniware, a municipal specific software since 2016. Recently Muniware has rolled into the cloud based Catalis ERP (Enterprise Resource Planning) system. This software has been available to municipalities for 45+ years and has served the municipalities that are utilizing the system in our organization very well. Being a cloud-based system makes it easier for remote access when required, can be utilized by more than one person, has an online portal for residents to view their personal information, negates the need for a server, and the information for running taxes only has to be input once, not 69 times. The current quote for a Birch Cove computer is less than \$1,000 and the initial cost of the software changeover is \$5,000 with an annual fee of \$2,000. Further discussion at meeting time. <i>(direction as given by Council at meeting time)</i>

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	Pages 111-116	c)	Summer Village Regional Emergency Management Partnership (SVREMP) Budget 2026 – the SVREMP is requesting Council to review and endorse their 2026 budget. The budget as well as information regarding implementing a SOLE and the September 27th, 2025 minutes are attached. <i>(that the Summer Village of Birch Cove endorse the Summer Village Regional Emergency Management Partnership's 2026 Budget as presented)</i> Or <i>(that the Summer Village of Birch Cove recommends the following changes to the Summer Village Regional Emergency Management Partnership's 2026 budget)</i> Or <i>(some other direction as given by Council at meeting time)</i>
		d)	
		e)	
		f)	
9.	Financial <i>Forwarded under separate cover</i>	a)	Income and Expense Statement – September 30th, 2025 and Bank Balances as at September 30th, 2025. <i>(that the September 30th, 2025 Income and Expense Statement and September 30th, 2025 Bank Balances, be accepted for information)</i>
10.	Correspondence <i>Page 117</i>	a)	August 8th, 2025 – letter from Dan Williams, Minister of Municipal Affairs – advising that the 2025 Canada Community-Building Fund allocation for the Summer Village of Birch Cove is \$9,069.
	Pages 118-129	b)	August 27th, 2025 email from Alberta Municipalities on key messages with regard to Reporting to Council on the Use of Natural Person Powers, Councillor Information Requests, Council Meeting Procedures to Manage Conflict and what/how these changes will impact municipalities in Alberta.

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	Pages 130-131	c)	Ministerial Order No. MAG:006/25 – effective July 31 st , 2025 advising that the 2025 Designated Industrial Tax Requisition (linear) be cancelled for the Summer Village of Birch Cove in the amount of \$4.26.
	Pages 132-133	d)	September 22 nd , 2025 mandate letter from the Premier of Alberta to the Minister of Municipal Affairs – outlining the expected commitment to deliver results, strengthen communities and build a future rooted in prosperity, opportunity and responsible governance.
	Page 134	e)	Summer Village of Sandy Beach – Council Organizational Chart
		f)	
		g)	<i>(that the correspondence items be accepted for information)</i>
11.	<u>Council Reports</u>	a) Mayor b) Deputy Mayor c) Councillor <i>(that the Council Reports be accepted for information)</i>	
12.	<u>Chief Administrative Officer Report</u> <i>Forwarded under separate cover</i>	a) To Do List – August 18 th , 2025 b) Update on 41 Spruce Drive - demolition c) d) e) f) <i>(that the Chief Administrative Officer Reports be accepted as information)</i>	

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13.	<u>Confidential Matters</u>		N/A
14.	<u>Adjournment</u>		

Next Meetings: October 16th and 17th, 2025 ASVA Convention, Edmonton, AB
November 12th – 14th, 2025 ABMunis Convention & Trade Show (Calgary TELUS
Convention Centre)
December 18th, 2025, Regular Council Meeting 4:00 p.m.

SUMMER VILLAGE OF BIRCH COVE
ORGANIZATIONAL COUNCIL MEETING MINUTES
AUGUST 18TH, 2025 AT 4:00 P.M.
SUMMER VILLAGE ADMINISTRATION OFFICE
2317 TOWNSHIP ROAD 545, LAC STE. ANNE COUNTY & VIA ZOOM

	PRESENT	Councillor: Dean Preston Councillor: Eugene Dugan Councillor: Jan Tschudin Administration: Wendy Wildman, CAO (via zoom) Administrative Assistant: Diane Wannamaker Public attendance (in person): 0
1.	CALL TO ORDER	Chief Administrative Officer Wendy Wildman called the meeting to order at 4:00 p.m.
	PART 1 COUNCILLOR ORIENTATION PRESENTATION	4:00 p.m. Alberta Summer Village Association – Mike Pashak – Part 1 Councillor Orientation Presentation – via zoom Commissioner of Oaths, Angela Duncan arrived for the meeting at 4:30 p.m. Mr. Pashak left the meeting at 4:25 p.m.
	SWEARING IN ALL OF COUNCIL	CAO Wildman recognized the results of the 2025 Election whereby Dean Preston, Eugene Dugan and Jan Tschudin were elected by majority. Commissioner of Oaths, Angela Duncan administered the Councillor Oaths of Office and Dean Preston, Eugene Dugan and Jan Tschudin assumed the office of Councillors.
	64-25	MOVED by Councillor Preston that Councillors Preston, Dugan and Tschudin accept for information and acknowledge receipt and completion of Part 1 of the required Councillor Orientation. CARRIED
2.	AGENDA 65-25	MOVED by Councillor Dugan that the agenda for the August 18th, 2025 Organizational Meeting be approved as presented. CARRIED
3.	ELECTION (MAYOR)	CAO Wildman called for nominations for the Office of the Mayor of the Summer Village of Birch Cove;

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	66-25	Councillor Dugan nominated Councillor Preston CAO Wildman called for nominations for the Office of Mayor a second time; CAO Wildman called for nominations for the Office of Mayor a third time; MOVED by Councillor Dugan that nominations for the Office of Mayor cease. CARRIED Councillor Preston was declared elected by acclamation to the Office of Mayor and took the Oath of Office and assumed the Chair.
4..	ELECTION (DEPUTY MAYOR) 67-25 Angela Duncan	Mayor Preston called for nominations for the Office of Deputy Mayor of the Summer Village of Birch Cove; Councillor Dugan nominated Councillor Tschudin Mayor Preston called for nominations for the Office of Deputy Mayor a second time; Mayor Preston called for nominations for the Office of Deputy Mayor a third time; MOVED by Mayor Preston that nominations for the Office of Deputy Mayor cease. CARRIED Councillor Tschudin was declared elected by acclamation to the Office of the Deputy Mayor and took the Oath of Office. Ms. Duncan left the meeting at 4:40 p.m.
5.	CONFIRMATION OF COMMITTEE APPOINTMENTS 68-25	MOVED by Mayor Preston that the following Council committee and external appointments be confirmed: a) Highway 43 East Waste Commission: Representative: Councillor Dugan

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		b) Summer Villages Regional Emergency Management Partnership (SVREMP): Representative Mayor Preston c) Summer Villages of Lac Ste. Anne County East: all of Council may attend, Voting Representative Mayor Preston, First Alternate Voting Representative is Deputy Mayor Tschudin, Second Alternate Voting Representative is Councillor Dugan CARRIED
6.	SIGNING AUTHORITY 69-25	MOVED by Mayor Preston that Council confirm the signing authority to include all of Council (Mayor Preston, Deputy Mayor Tschudin and Councillor Dugan and for Administration, the Chief Administrative Officer (Wendy Wildman) and Administrative Assistant (Diane Wannamaker), with two signatures required on all financial instruments with one signature required from any member of Council and one signature required from Administration. CARRIED
7.	BANKING AUTHORITY 70-25	MOVED by Mayor Preston that Council confirm the Alberta Treasury Branch (ATB Financial) as banking authority for the Summer Village of Birch Cove. CARRIED
8.	ADMINISTRATION 71-25	MOVED by Mayor Preston that Council confirm Wildwillow Enterprises Inc. as administration services provider to the Summer Village of Birch Cove. CARRIED
9.	CAO APPOINTMENT 72-25	MOVED by Mayor Preston that Council confirm Wendy Wildman as Chief Administrative Officer for the Summer Village of Birch Cove. CARRIED

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10.	MEETING DATES 73-25	MOVED by Mayor Preston that Council confirm that the meeting date for regular Council meetings be established as the third Thursday of every second month starting at 4:00 p.m. beginning after the next meeting which is scheduled for Thursday, October 23rd, 2025, hosted in the municipal office board room, 2317 Township Road 545 in Lac Ste. Anne County in Alberta; and further that teleconferencing be deemed an acceptable format of holding a meeting and that any changes of a meeting date or calling of a special meeting is to be posted on the website as an appropriate form of notification. CARRIED
11.	OFFICE LOCATION 74-25	MOVED by Mayor Preston that Council confirm the location of the municipal office for the Summer Village of Birch Cove as 2317 Township Road 545 in Lac Ste. Anne County, Alberta. CARRIED
12.	FINANCIAL OFFICER AND ADMINISTRATIVE ASSISTANT 75-25	MOVED by Mayor Preston that Council confirm the appointment of Shelley Vaughan as Financial Officer and Diane Wannamaker as Administrative Assistant as designated officers for the Summer Village of Birch Cove. CARRIED
13.	CONFIRMATION OF AUDITOR APPOINTMENT 76-25	MOVED by Mayor Preston that Council confirm the appointment of the firm Seniuk and Marcato as auditors for the Summer Village of Birch Cove for 2025. CARRIED
14.	SOLICITOR 77-25	MOVED by Mayor Preston that Council confirm the engagement of Patriot Law Group (Onoway) to the appointment of municipal solicitor for the Summer Village of Birch Cove. CARRIED

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15.	ASSESSOR 78-25	MOVED by Mayor Preston that Council confirm the engagement of Municipal Assessment Services Group and the appointment of Travis Horne as municipal assessor, a designated officer position for the Summer Village of Birch Cove. CARRIED
16.	ASSESSMENT REVIEW BOARD 79-25 80-25	MOVED by Mayor Preston that Council confirm the engagement of Capital Regional Assessment Services Commission as Assessment Review Board services provider (Local and Composite). CARRIED MOVED by Mayor Preston that Assessment Review Board Panelists and Administration appointments be confirmed as: Gerry Amarin as Assessment Review Board Clerk, a designated officer position for the Summer Village of Castle Island; Darlene Chartrand, Sheryl Exley, Tina Groszko, Stewart Hennig, Richard Knowles, Denis Meir and Raymond Ralph as certified panelists; and Richard Ralph the Designated Chair for the Assessment Review Board for 2025. CARRIED
17.	ATI & POP COORDINATOR 81-25	MOVED by Mayor Preston that Council confirm the appointment of Chief Administrative Officer Wendy Wildman as the Access to Information and Protection of Privacy Coordinator for the Summer Village of Birch Cove. CARRIED
18.- 21.	LEGISLATIVE 82-25	MOVED by Councillor Dugan that Council acknowledge as received, and here now reviewed, the following notable Bylaw and Policies: Bylaw 2025-05, being the duly passed Procedural Bylaw Policy C-COU-PAR-1, being the duly passed Public Participation Policy CARRIED

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	83-25	MOVED by Mayor Preston that Policy C-COU-REM-1, Councillor Remuneration Policy be deferred to the October 23 rd , 2025 Regular meeting for further discussion. CARRIED
	84-25	MOVED by Councillor Dugan that Council acknowledges they have received and here now reviewed Section 208 of the <i>Municipal Government Act</i> , specifically the list of Performance of Major Administrative Duties of the municipality. CARRIED
22. & 23.	DEVELOPMENT & SUBDIVISION AND DEVELOPMENT APPEAL BOARD 85-25	MOVED by Mayor Preston that Council confirms the appointment of Tony Sonnleitner as Development Officer for the Summer Village of Birch Cove, being in part the Development Authority, as provided for under the Land Use Bylaw #417-16, being also a designated officer position for the Summer Village of Birch Cove. CARRIED
	86-25	MOVED by Mayor Preston that Council confirm Milestone Municipal Services as Subdivision and Development Appeal Board services provider and the appointment of Emily House, Janet Zaplotinsky and Cathy McCartney as Subdivision and Development Appeal Board Clerks, as designed officer positions for the Summer Village of Birch Cove. CARRIED
	87-25	MOVED by Mayor Preston that Council appoint and confirm the following pool of individuals (as provided through agreement with the Subdivision and Development Appeal Board services provider): Denis Meier Rainbow Williams John Roznicki Chris Zaplotinsky Tony Siegel Jamie-Lee Kraley Jason Shewchuk John McIvor Angela Duncan CARRIED

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	88-25	MOVED by Mayor Preston that Council confirm the engagement of Municipal Planning Services as municipal planning services provider and the appointment of Jane Dauphinee as Planning Officer, a designated officer position for the Summer Village of Birch Cove. CARRIED
24. - 28	EMERGENCY, COMMUNITY AND ENFORCEMENT 89-25 90-25 91-25 92-25	MOVED by Mayor Preston that Council confirms the engagement of the Town of Barrhead Fire Services as Fire Protection services provider for Birch Cove; confirm Fire Chief Gary Hove as Fire Chief, respective of the terms of the service agreement and subsequent supplementary aid agreements and further acknowledge that Lac Ste. Anne County fire services department be acknowledged as primary mutual aid partner for fire services in the municipality. CARRIED MOVED by Mayor Preston that Council confirm the appointment of Renee Jackson as the local Municipal Director of Emergency Management for the Summer Village of Birch Cove. CARRIED MOVED by Mayor Preston that Council defer the appointment of the local Municipal Deputy Director of Emergency Management for the Summer Village of Birch Cove to the Regular meeting scheduled for October 23rd, 2025. CARRIED MOVED by Mayor Preston that Council confirm the appointment of Janice Christiansen as the Regional Director of Emergency Management for the membership of the Ste. Anne Regional Emergency Management Commission, including the Summer Village of Birch Cove. CARRIED
26.	ADJOURNMENT	The meeting adjourned at 5:00 p.m.

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Mayor, Dean Preston

Chief Administrative Officer, Wendy
Wildman

UNAPPROVED

SUMMER VILLAGE OF BIRCH COVE
REGULAR COUNCIL MEETING MINUTES

MONDAY, AUGUST 18TH, 2025

HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA
AND VIA ZOOM

	PRESENT:	Mayor: Dean Preston Deputy Mayor: Jan Tschudin Councillor: Eugene Dugan Administration: Wendy Wildman, Chief Administrative Officer (zoom) Diane Wannamaker, Administrative Assistant Attendees: 0 Public at Large: 0 Public on Zoom: 0
1.	CALL TO ORDER	Mayor Preston called the meeting to order at 5:01 p.m.
2.	AGENDA 93-25	MOVED by Mayor Preston that the August 18th, 2025 Regular Council Meeting agenda be approved as presented. CARRIED
3.	MINUTES 94-25	MOVED by Councillor Dugan that the Public Hearing minutes regarding the Land Use Bylaw and the Regular Council meeting minutes of the June 19th, 2025 Meeting be approved with the following amendment: <u>Attendance</u> Councillor Tymafichuk - regrets CARRIED
4.	PUBLIC HEARING(S)	N/A
5.	DELEGATIONS(S)	N/A
6.	BUSINESS ARISING 95-25	MOVED by Mayor Preston that the update provided on the Waste Token Phase Out Discussion be accepted for information and further that Administration bring back additional updates as received. CARRIED

SUMMER VILLAGE OF BIRCH COVE
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HELD IN PERSON AT 2317 TWP RD 545, LAC STE. ANNE COUNTY, ALBERTA
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7.	BYLAWS/POLICIES 96-25 <i>Bylaw 170-2025, Land Use Bylaw</i>	MOVED by Mayor Preston that Bylaw 170-2025, Land Use Bylaw be deferred to the October 23rd, 2025 meeting for further review by new Council and/or be given first reading and set a date for the required Public Hearing. CARRIED
8.	NEW BUSINESS 97-25 98-25	MOVED by Mayor Preston that Council accept the discussion on MSCNet as information, and authorize Administration to support the project as discussed, including sharing of map files, negotiation of land use and easements, shared communication strategies pre, during and post project and permitting temporary signage at locations as approved by the Summer Village of Birch Cove. CARRIED MOVED by Mayor Preston that the next regular Council meeting be scheduled for Thursday, October 23rd, 2025 at 4:00 p.m. at the Wildwillow Enterprises Administration office. CARRIED
9.	FINANCIALS 99-25	MOVED by Councillor Dugan that the July 31st, 2025 Income and Expense Statement, be accepted for information. CARRIED
10.	CORRESPONDENCE 100-25	MOVED by Mayor Preston that the following correspondence be accepted for information: ➤ Lac Ste. Anne Foundation Board Meeting Minutes – June 19th, 2025 ➤ Yellowhead Regional Library – Deputy Director Announcement appointing Jocie Wilson effective September 3rd, 2025 ➤ Lac Ste. Anne Foundation Board of Directors Strategic Planning Session Report ➤ July 18/25 email from Municipal Affairs regarding survey for potential legislative amendments to address concerns regarding the recall threshold and process

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AND VIA ZOOM

		➤ Regional Director of Emergency Management – Job Opportunity – this position will be effective January 1st, 2026 CARRIED
11.	COUNCILLOR REPORTS 101-25	MOVED by Mayor Preston that the Councillor reports be accepted for information as presented. CARRIED
12.	ADMINISTRATION REPORTS 102-25	MOVED by Councillor Dugan that the Administration reports be accepted for information as presented. CARRIED
13.	CONFIDENTIAL MATTERS	N/A
15.	ADJOURNMENT	The meeting adjourned at 5:28 p.m.

Mayor, Dean Preston

Chief Administrative Officer, Wendy Wildman





Summer Village of Birch Cove

Land Use Bylaw 170-2025

Summer Village of Birch Cove
Consolidated by the Summer Village of Birch Cove Planning and Development Services

Passed _____

Land Use Bylaw No. 170-2025

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BYLAW NO. 170-2025

Being a Bylaw of the Summer Village of Birch Cove, in the Province of Alberta.

WHEREAS the *Municipal Government Act, R.S.A. 2000, c M-26* and any amendments thereto, mandates the Council of a municipality to enact a Bylaw to regulate the use and development of land and buildings.

In this Bylaw, the words imparting the singular shall include the plural and words imparting the masculine shall include the feminine or neuter forms or corporations, or vice versa, save where the context otherwise requires.

Therefore the Municipal Council repeals the Summer Village of Birch Cove Land Use Bylaw No. 96-10 and all amendments thereto, subject to third and final reading and signing date of the final passing of this Bylaw 170-2025, enacts as follows (including all Schedules):

Schedule A – Land Use Bylaw Map

General

Section 1 Title

This Bylaw may be referred to as "The Summer Village of Birch Cove Land Use Bylaw."

Section 2 Scope

No subdivision or development shall hereafter be carried out within the boundaries of the Summer Village of Birch Cove except in conformity with the provisions of this Bylaw.

Section 3 Purpose

The purpose of this Bylaw is to, amongst other things:

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate the use(s) for each district;
- (3) to establish the office of Development Officer;
- (4) to establish the Subdivision Officer;
- (5) to establish a method of making decisions on applications for development permits and the issuance of development permits;
- (6) to provide the manner in which notice of the issuance of a development permit is to be given;
- (7) to establish a method for making decisions on applications for subdivision approval in accordance with the Municipal Government Act and its regulations;
- (8) to implement the policies of the statutory plans of the Summer Village of Birch Cove;
- (9) to establish supplementary regulations governing certain specific land uses; and
- (10) to establish the procedures for making amendments to this Bylaw.

Section 4 Relationship to the Municipal Government Act

This Summer Village of Birch Cove Land Use Bylaw has been prepared and adopted in accordance with the provision of the Act, its regulations, and amendments thereto.

Section 5 Metric and Imperial Measurements

The imperial equivalents provided in parentheses after reference to metric units of measurement are approximate and intended for information only.

Section 6 Previous Municipal Bylaws

No provisions of any other Bylaws with respect to zoning, development control and land use classifications shall hereafter apply to any part of the Summer Village described in this Bylaw, subject to the transitional provisions of this Bylaw.

Section 7 Effective Date

The effective date of this Bylaw shall be the date of the third reading thereof.

Section 8 Establishment of General Conditions

General conditions shall be set forth in Part I of "General Conditions" and the same may be amended in the similar manner as any other part or section of this Bylaw.

Section 9 Other Legislative and Bylaw Requirements

Nothing in this Bylaw affects the duty or obligation of a person to obtain a development permit as required by this Bylaw, or to obtain any other permit, license or other authorization required by any Bylaw, or Act or any regulation pursuant to those Acts.

Section 10 Definitions

In this Bylaw:

"ACCESSORY BUILDING" - means a building which is normally subordinate to, and the use of which is incidental to that of, a principal building and which includes such buildings as a garage, storage shed and guesthouse. This structure can be up to 1 ½ storeys with a maximum height of 22'. This height can exceed the height of the principal residence. If a garage is 1½ storeys in height it can include sleeping accommodation only over the garage;

"ACCESSORY BUILDING, LAKESHORE" - means an accessory building or structure located immediately adjacent to a lakeshore or lake tributary or within the actual waterbody proper, and includes but is not limited to a boathouse;

"ACCESSORY DWELLING UNIT" – means an accessory dwelling unit (often referred to as an ADU) which is a self-contained living unit with its' own kitchen, sleeping area and washroom facilities, and which is located on the same property as a dwelling unit. An accessory dwelling unit is sometimes referred to as a garden suite, laneway home, carriage house or garage suite;

"ACCESSORY USE" - means a use of a building or land which is normally incidental to and subordinate to the principal use of the parcel on which it is located;

“ACT” - means the *Municipal Government Act*, as amended, and the regulations pursuant thereto;

“ADJACENT LAND” - means land that is contiguous to the parcel of land in question and includes;

- (a) land that would be contiguous if not for a highway, road, river or stream, and
- (b) any other land identified in the Land Use Bylaw as adjacent land for the purpose of notification.

“ADULT” – means a person who has reached the age of majority of eighteen (18) years of age and is therefore regarded as independent, self-sufficient and responsible.

“AREA STRUCTURE PLAN” - means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*;

“APPEAL BOARD” - means a Subdivision and Development Appeal Board appointed pursuant to the Act;

“BED AND BREAKFAST” - means the use of part of a residential dwelling for overnight commercial accommodation where breakfast is usually served as part of the accommodating service. A bed and breakfast is a home occupation for the purpose of this Bylaw;

“BOATHOUSE” - means an accessory building designed and used primarily for the storage of boats and which is designed in such a way as to permit the direct removal of boats from the water to the structure;

“BUFFER” - means a row of trees, shrubs, berming, or fencing to provide visual screening and separation between sites and incompatible land uses;

“BUILDING” - means anything constructed or placed on, in, over, or under land, but does not include a highway or public roadway or related developments;

“BUILDING HEIGHT” - means the vertical distance between grade and the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building;

“CANOPY” - means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

“CARPORT” - means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed;

"CHATTEL" - means a moveable item of personal property;

"CORNER" - means the intersection of any two property lines of a parcel;

"COUNCIL" - means the Council of the Summer Village of Birch Cove;

"DECK" - means a hard surfaced (usually wooden) area usually adjoining a dwelling unit; more than 0.6 m (1.97 ft) high above grade, for outdoor living;

"DESIGNATED OFFICER" - means a person authorized to exercise development authority powers on behalf of the municipality pursuant to the provision of the *Municipal Government Act* and this Bylaw;

"DEVELOPABLE AREA" - means an area of land suitable for a building parcel and containing adequate surface elevation to preclude marshland, wetland, or groundwater inundation or high groundwater table conditions;

"DEVELOPER" - means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

"DEVELOPMENT" - means development as defined in the Act, and includes the following:

- (a) The carrying out of any construction or excavation, or other operations, in, on, over or under land, or the making of any change in the use or the intensity of use of any land, buildings or premises, and without restricting the generality of the foregoing, includes the removal of topsoil. For the purposes of this Bylaw, development also means the demolition of a building,
- (b) In a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel, and any alteration or additions which provide for an increase in the number of dwelling units within the building or on the parcel,
- (c) The placing of refuse or waste material on any land,
- (d) The resumption of the use to which land or buildings have been previously put,
- (e) The use of the land for the storage or repair of motor vehicles or other machinery or equipment,
- (f) The continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw is enacted,
- (g) The installation of any type of sewage disposal system including but not limited to holding tanks, and

- (h) The digging of a well or installation of a water cistern;

“DEVELOPMENT AUTHORITY” - means the Development Officer as designated by bylaw;

“DEVELOPMENT OFFICER” - means the person(s) appointed as Development Officer in accordance with the Development Authority Bylaw;

“DEVELOPMENT PERMIT” - means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications or other documents. This permit is separate and distinct from a building permit;

“DISCONTINUED” - means the time at which, in the opinion of the Development Officer, substantial construction activity or nonconforming use, or conforming use has ceased;

“DISCRETIONARY USE” - means a use of land or buildings provided for in the District Regulations of the Bylaw, for which a development permit may or may not be issued with or without conditions;

“DOUBLE FRONTING PARCEL” - means a parcel bounded by two or more streets on opposite ends; is not a corner parcel;

“DWELLING” – means any building used principally for human habitation and which is supported on a permanent foundation extending below ground level, and includes single family dwellings, but does not include mobile homes or temporary mobile living accommodations such as holiday trailers;

“DWELLING UNIT” – means a self-contained structure with sleeping, washroom and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a single household;

“EASEMENT” - means a right to use land, generally for access to other property or as a right-of-way for a public utility;

“EXCAVATION” - means any breaking of ground, except common household gardening and ground care;

“FENCE” - means a vertical physical barrier constructed to prevent visual intrusion or unauthorized access or sound abatement;

“FLOOR AREA” - means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centre-line of fire walls encompassing all levels of the structure;

"FLOODPLAIN" – means the highest elevation of the level of floodwaters occurring in the 1:100 flood event, as established from time-to-time by Alberta Environment;

"FOUNDATION" - means the lower portion of a building, usually concrete or masonry, and includes the footings and pilings which transfer the weight of and loads on a building to the ground;

"FRACTIONAL OWNERSHIP" – means a situation where a host owns a part or fraction of a property, typically with the right to use it for an equal fraction of the year. The owner is restricted from using the property as their principal residence because of rules outlined in the fractional ownership agreement;

"FRONTAGE" - means the lineal distance measured along the front parcel line;

"GARAGE" - means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles. Sleeping accommodation only is permitted over a garage with a maximum height of 1 ½ stories (22').

"GRADE" - means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;

"GUEST HOUSE" - means an accessory building used for seasonal or part-time sleeping accommodation with bathroom facilities and not containing such facilities as a kitchen, living room or recreation room. A guest house does not mean a recreational vehicle, or a converted mobile home. A guest house shall not be used as a rental accommodation;

"HIGH GROUNDWATER TABLE" - means a water table level measuring less than 1.5 m (5.0 ft) from the ground surface, or as otherwise determined by the Development Officer;

"HOME EXCHANGE" – means an arrangement where a person offers a right to use the person's property for accommodation in Birch Cove in exchange for the right to use another person's property. It is also referred to as house swapping;

"HOME OCCUPATION" – means the accessory use of a dwelling by a resident of that dwelling for a business which is conducted within the dwelling, does not employ persons who are not resident within the dwelling, and is undetectable from outside the dwelling;

"LAKEFRONT DWELLINGS" - means those dwellings whose properties extend to the lakeshore but also includes those dwellings whose parcels are only separated from the lakeshore by an environmental reserve;

"LANDSCAPING" - means to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, or other structures and materials as used in modern landscape architecture but does not include changes in grade, stockpiling and excavation;

"LANE" - means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m (33.0 ft) and is not less than 6.0 m (20.0 ft) wide, and which provides a secondary means of access to a parcel or parcels;

"LOT" - means a parcel of and, the boundaries of which are separately described in a certificate of title, which may or may not be shown on a registered plan of subdivision;

"MINOR" - means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Officer, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area;

"MOBILE HOME" - means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in one or two parts with each part being moved from one point to another and put together on parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A mobile home is not a Single Detached Dwelling;

"MODULAR HOME" - means a dwelling which is prefabricated or factory built, and which is assembled on the parcel in sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. A modular home is a Single Detached Dwelling;

"MUNICIPAL DEVELOPMENT PLAN" - means the Summer Village of Birch Cove Municipal Development Plan;

"MUNICIPALITY" - means the Summer Village of Birch Cove;

"NON-CONFORMING BUILDING OR USE" - means a building or use which is regarded as non-conforming in accordance with the provisions of the Act;

"OCCUPANCY" - means the use or intended use of a building or part thereof for the shelter or support of persons or property;

"PARCEL" - means the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office;

"PARCEL AREA" - means the total area of a parcel;

"PARCEL BOUNDARIES" - means the property boundaries which bound the parcel as determined by the Development Officer;

"PARCEL, CORNER" - means a parcel at the intersection of two abutting streets;

"PARCEL COVERAGE" - means, in the case of a residential building or structure, the combined area of all buildings on the parcel, measured at the level of the lowest storey above grade, and in the case of a non-residential building or structure, the combined area of all buildings or structures upon the lot, measured at the level of the lowest storey above grade, including in both cases, square footage of all levels, all porches and verandas, open or covered but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within a building except inner and outer courts;

"PARCEL DEPTH" - means the average horizontal distance between the front and rear parcel boundaries;

"PARCEL, INTERIOR" - means a parcel which is bounded by only one street;

"PARCEL, LAKEFRONT" - means a parcel adjacent to a lakeshore excluding any existing park or reserve land, public roadways or public utility lots;

"PARCEL WIDTH" - means the distance between the side property lines of a parcel at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road;

"PARK OR PLAYGROUND" - means an area of land that is used for recreation purposes and may include such facilities as playground equipment;

"PARKING FACILITY" - means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility;

"PARKING STALL" - means a hard surfaced space set aside for the parking of one vehicle;

"PERMITTED USE" - means the use of land or building provided for in the District Regulations of this Bylaw for which a development permit shall be issued with or without conditions upon application having been made which conforms to the Land Use Bylaw;

"PLATFORM SERVICE" – means the facilitation of promotion and transactions for reservations and payments related to short-term rental accommodation services within the Summer Village of Birch Cove, provided by an online platform;

"PRINCIPAL BUILDING OR USE" - means the primary building or use for which the site is ordinarily used. Garages, lofts, boathouses and similar building or uses on lots which have a

developed and usable residence shall not be regarded as a primary building or use in residential land use districts. There can only be one principal building or use on a single lot;

"PRINCIPAL RESIDENCE" – means the residence an individual lives in for a longer period during a calendar year than any other place;

"PUBLIC PARK" - means an active or passive public recreation area together with any accessory buildings or uses complimentary to the said recreational purpose;

"PUBLIC ROAD" - means land used or surveyed for use as a public highway, bridge, internal subdivision roads, lanes, and any structure;

"PUBLIC USE" - means a building or use of land by any government agency, not for profit organization, or utility for the express purpose of providing public services to the community. Examples include: administration buildings, parks, playgrounds, walk trail systems, museums, and sewage lift stations;

"PUBLIC UTILITY BUILDING" means a building to house a public utility, its office or equipment;

"PUBLIC WORKS BUILDING" - means any building, structure, facility, yard or complex used by the municipality to facilitate the performance of, or storage with respect to, the maintenance and care of public infrastructure;

"RECREATIONAL VEHICLE" - means a portable structure intended as temporary accommodation for travel, vacation, or recreational use. Such structures may include but not be limited to a motor home, fold-down camping trailer, truck camper, holiday trailer or fifth wheel travel trailer. Conventional or converted mobile homes are not recreational vehicles, as defined under this bylaw;

"SECONDARY SUITE" – means a self contained living unit with its' own kitchen, sleeping area and washroom facilities, and which is contained within a larger dwelling unit;

"SETBACK" - means the distance that a development, or a specified portion of it, must be set back from a property line;

"SEWAGE COLLECTION SYSTEM" - consists of a CSA approved sealed impermeable holding tank;

"SHORELINE" - means the land covered by water for such a period of time that it no longer features the natural vegetation or marks a distinct boundary from the water environment and the soil of the waterbody and the vegetation of the surrounding land;

"SHORT FORM" - means an abbreviation;

"SHORT-TERM RENTAL" – means accommodations provided to members of the public in a host's property, in exchange for money, for a period of less than 90 consecutive days. They are generally tourist accommodations that are often found in residential or resort areas. They may be advertised via online platforms such as Airbnb, VRBO, Expedia and FlipKey, and may also be advertised on other web forums including Facebook Marketplace, or found in classified ads in newspapers.

Short-term rentals do not exclude accommodation that was intended to be provided for 90 days or longer, but which unexpectedly ends before 90 days have passed;

"SIGN" - means anything that serves to indicate the presence or the existence of something, including, but not limited to a lettered board, a structure, or a trademark displayed, erected, or other wise developed and used or serving or intended to serve to identify, to advertise, or to give direction;

"SINGLE DETACHED DWELLING" - means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit with associated facilities and intended as a residence not separated from direct access to the outside by another structure. A mobile home or recreational vehicle is not a single detached dwelling as defined under this Bylaw;

"STOREY" - means a floor of a building, excepting the basement;

"STOREY, HALF" - means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor;

"STREET" - means a right-of-way no less than 10.0 m (32.8 ft) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic, but does not include a lane or as defined as a street in the Highway Traffic Act;

"STRUCTURE" - means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings;

"STUDENT ACCOMMODATION" – means a property ordinarily used for more than 6 months in the calendar year for the living accommodation of students or employees of an education institution and that is owned or operated by the education institution or by a non-profit organization;

"SUBDIVISION AUTHORITY" - means a Subdivision Authority established Pursuant to Section 623 of the Municipal Government Act. Council shall exercise Subdivision Authority powers on behalf of the Municipality; or designate.

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" - means the Subdivision and Development Appeal Board appointed pursuant to the provisions of the Municipal Government Act;

"SUBDIVISION OFFICER" - means a person authorized to accept, process and endorse subdivisions on behalf of the subdivision authority pursuant to the provisions of the Municipal Government Act;

"TEMPORARY DEVELOPMENT" - means a development for which a development permit has been issued for a limited time only;

"TEMPORARY USE OR BUILDING" - means a use or building developed on a parcel which is not permanent in nature and can conveniently and economically be removed so as to not prejudice the future subdivision or development of that parcel;

"TEMPORARY LIVING ACCOMMODATION" - means any recreational vehicle, holiday trailer, camper or tent situated on a residential lot;

"TIME SHARE PROPERTY" – means a certain property in which a person has a time share contract within the meaning of the *Business Practices and Consumer Protection Act*, or has a time share interest within the meaning of the *Real Estate Development Marketing Act*;

"USE" - means a use of land or a building as determined by the Development Officer;

"UTILITY" - means the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas or oil distribution system;

"UTILITY BUILDING" - means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility;

"YARD" - means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded parcel, unless otherwise permitted in this Bylaw;

"YARD, FRONT" - means that portion of the parcel extending across the full width of the parcel from the front property boundary line of the parcel to the front wall of the main building. In the case of lake front lots, the front yard is the area between the lake shore property line (or, if the front property line is not a fixed point, the standard mean high water mark as defined by Alberta Environmental Protection) and the wall of the main building facing the lake;

"YARD, LAKEFRONT" - means the yard extending across the full width of a lakefront parcel and situated between the parcel line closest to the lake and the nearest portion of the exterior wall of the principal building;

“YARD, REAR” - means that portion of the parcel extending across the full width of the parcel from the rear property boundary of the parcel to the exterior wall of the building; and

“YARD, SIDE” - means that portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel and the nearest portion of the exterior wall of the principal building.

All other words and expressions have the meanings respectively assigned to them in the Act.

DRAFT

DEVELOPMENT CONTROL AGENCIES

Section 11 Establishment of a Development Officer

- (1) The office of the Designated Officer is hereby established and such office shall be filled by a person or persons to be appointed by Resolution of Council.
- (2) For the purposes of the Act, the Development Officer is hereby declared to be a Designated Officer of Council.
- (3) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things:
 - (a) keeping and maintaining for the inspection of the public during all regular hours, a copy of this Land Use Bylaw and all amendments thereto, and
 - (b) keeping a register of all applications for development including the decisions thereon and the reasons therefore.
- 4) For the purposes of this Bylaw, the Development Officer shall constitute the Development Authority of the Summer Village of Birch Cove.

Section 12 Subdivision Officer

- (1) The office of the Subdivision Officer is hereby established and such office shall be filled by a person or persons appointed by Resolution of Council.
- (2) The Subdivision Officer or designate(s) shall perform such duties that are specified in Part 4 of this Bylaw.
- (3) The Subdivision Officer or designate(s) shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this bylaw and all amendments thereto; keep a register of all applications for subdivision, including the decisions thereon and the reason therefore.
- (4) For the purposes of the Municipal Government Act, the Subdivision Officer or his designate(s) is/are hereby declared to be a Designated Officer of Council.
- (5) For the purposes of this Bylaw, the Subdivision Officer shall constitute the Subdivision Authority of the Summer Village of Birch Cove.

Section 13 Subdivision and Development Appeal Board

- (1) The Subdivision and Development Appeal Board is established through separate bylaw.
- (2) The Subdivision and Development Appeal Board shall perform such duties as specified in the Act.

DEVELOPMENT CONTROL

Section 14 Development Permit Required

No development other than that designated in Section 15 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

Section 15 Where a Development Permit is Not Required

The following developments shall not require a development permit provided the proposed development conforms to all other provisions of this Bylaw:

- (a) The maintenance or repair of any conforming building if the work does not include structural alterations;
- (b) The erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection of a building for which a development permit has been granted, provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Officer;
- (c) The completion, alteration, maintenance or repair of a street, lane or utility, undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;
- (d) Hard-surfacing of any yard area on a parcel for the purpose of providing vehicular access from a public roadway to an on-site parking stall, provided that such hard-surfacing does not drain onto adjacent properties;
- (e) The erection of freestanding towers, electronic equipment, flag poles and other poles not exceeding 6.1 m (20.0 ft), provided that the structure is not located in a front yard or on a building or structure;
- (f) Landscaping where it will not adversely affect the subject or adjacent properties but does not include changes in grade, stockpiling or excavation;
- (g) The erection of campaign signs for federal, provincial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed within fourteen (14) days of the election date, and
 - (ii) the consent of the property owner or occupant is obtained, and
 - (iii) such signs do not obstruct or impair vision or traffic, and
 - (iv) such signs indicate the name and address of the sponsor and the person responsible for removal;
- (h) The erection or construction of gates, fences, walls or other means of enclosure, subject to Section 57 of this Bylaw, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure;
- (i) One sign on internal parcels or two signs on corner parcels advertising a residential

property for sale or rent may be displayed on the property to which it pertains during the time the property is being offered for sale, and shall be removed after the sale or rental agreement has been entered into. Such signs shall be a maximum of 0.6 m² (6.4 ft²) and shall be placed or erected no closer than 3.0 m (10.0 ft) to a public right-of-way; or

- (j) The erection or construction of 9 m² (100 ft²) maximum floor area storage or garden sheds provided they meet the setback requirements for an accessory building and site coverage regulations as defined under this Bylaw.

Section 16 Non-Conforming Buildings and Uses

Non-conforming buildings and uses must comply with the provisions of the Act, Section 643.

Section 17 Application for Development Permit

- (1) An application for a development permit shall be made to the Development Officer in writing on the application form provided in the parts forming this Bylaw, and shall:
 - (a) be accompanied by a fee set by Council;
 - (b) be signed by the registered owner or their agent where a person other than the owner is authorized by the owner to make application; The correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration;
 - (c) state the proposed used or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer; and
 - (d) at the discretion of the Development Officer include parcel plans in duplicate at a scale satisfactory to the Development Officer, showing any or all of the following:
 - (i) Front, side and rear yards;
 - (ii) Outlines of the roof overhangs on all buildings;
 - (iii) North point;
 - (iv) Legal description of the property;
 - (v) Location of existing and proposed municipal and private local improvements, principal building and other structures including accessory building, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - (vi) The provision of off-street loading and vehicle parking,
 - (vii) Access and egress points to and from the parcel,
 - (viii) Location of water and sewage collection systems on adjacent properties.
 - (ix) The grades of the adjacent streets and lanes;
 - (x) the location of existing and proposed municipal and private local improvements as well as an estimation of the installation thereof,

- (xi) The exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
 - (xii) The lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
 - (xiii) a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel,
 - (xiv) storm drainage plan,
 - (xv) On a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal; and
 - (xvi) estimated cost of the project, excluding land prices, and
 - (xvii) Any other information or tests respecting the parcel or adjacent lands which is pertinent to an assessment of the conformity of the proposal to this Bylaw and any other Bylaws or resolutions of Council dealing with development.
- (2) The Development Officer may require the applicant to provide written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.
- (3) When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Officer may return the application to the applicant for further details. The application so returned shall not be considered to be in its final form until all required details have been submitted to the satisfaction of the Development Officer.

Section 18 Decisions on Development Permit Applications

- (1) Permitted / Discretionary Applications
- (a) The Development Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw. The Development Officer may approve an application for a discretionary use and may refer the application with the Development Officer's recommendations to Council for decision. All applications for the placement of Modular Homes shall be referred, by the Development Officer, to Council for decision.
 - (b) The Development Officer or Council may require, as a condition of issuing a development permit, that:
 - (i) a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the Summer Village may utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application;
 - (ii) prior to making a decision, refer any application to any municipal department

or external agency for comment;

- (iii) require, as a condition of issuing a development permit, that the applicant enter into an agreement with the Summer Village of Birch Cove to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-site levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Summer Village of Birch Cove may be protected by caveat registered in favour of the Summer Village;
 - (iv) require financial guarantees, in a form and an amount acceptable to the Village, from the applicant to secure performance of any of the conditions of a development permit;
 - (v) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and street access, or any of them, including payment of the costs of installing or constructing any such utility by the developer; and/or
 - (vi) issue a temporary development permit where, in the opinion of the Development Officer, the proposed use is of a temporary nature.
- (c) Where development permit applications are referred to Council, Council shall be subject to the same variance provisions that apply and are available to the Development Officer as prescribed in Section 18 (2), (3) and (4).

(2) Variance Provisions

The Development Officer may, in deciding upon an application for a permitted or discretionary use, allow a minor variance to a maximum of 30% of the stated setback or other provision provided such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of land.

(3) Limitations on Variance Provisions

In approving an application for a development permit under Section 18 (2), the Development Officer or Council shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- (a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district.
- (b) Except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing density.
- (c) Where the issuance of a development permit for any use involves the exercise of any specified discretion of the Development Officer to relax a regulation of a land use district or any other regulation of this Bylaw, they shall not permit any variance from that regulation other than that contained in Section 18 (2).

(4) Additional Provisions:

The Development Officer may impose such conditions on the approval of an application that are considered necessary by the Development Officer, or Council to:

- (a) uphold the intent and objectives of any area structure plan or other statutory plan or land use regulation as adopted or amended from time to time; and
- (b) ensure the orderly and economic development of land within the Summer Village of Birch Cove.

Section 19 Notice of Proposed Development

- (1) Prior to an application being considered for a discretionary use, the Development Officer may require one or more of the following:
 - (a) cause a notice to be posted in a conspicuous place on the parcel upon which the proposed development is situated not less than seven (7) days prior to the date of consideration of such an application;
 - (b) cause a similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the applicant; and/or
 - (c) cause a similar notice to be sent by mail to all assessed property owners within 30.0 m of the parcel, and to those assessed property owners who, in the opinion of the Development Officer, may be affected, not less than seven (7) days prior to the date of consideration of the application.
- (2) The notices issued pursuant to Section 19 (1) shall state:
 - (a) the proposed use of the building or parcel;
 - (b) that an application respecting the proposed use will be considered by the Development Officer;
 - (c) that any person who objects to the proposed use of the parcel may deliver to the Development Officer a written statement of their objections indicating:
 - i) their full name and address for service of any notice to be given to them in respect of the objection, and
 - ii) the reasons for their objections to the proposed use;
 - (d) the date by which objections must be received by the Development Officer; and
 - (e) the date, time and place the application will be considered by the Development Officer.
- (3) When considering applications under Section 19 (1) for which notices have been served, the Development Officer may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

Section 20 Notice of Decision

- (1) All decisions on applications for a development permit shall be given in writing to the applicant.
- (2) If an application is refused or conditionally approved by the Development Officer or Council, the notice of decision shall contain the reasons for the refusal or the conditions imposed as part of the approval.
- (3) When a decision on a development permit for a permitted use is made, the Development Officer shall require the developer to immediately post a notice, for no less than fourteen (14) days, conspicuously on the parcel on which the proposed development has been permitted.
- (4) When a decision on a development permit for a discretionary use is made, the Development Officer may undertake or be directed to undertake by the Summer Village Council, as the case may be, any or all of the following:
 - (a) publish a notice in a newspaper circulating in the municipal area; and/or
 - (b) immediately mail a notice to all assessed property owners within 30.0 m of the parcel with respect to which the application has been made and to those assessed property owners who, in the opinion of the Development Officer, may be affected; and/or
 - (c) post a notice conspicuously on the parcel with respect to which the application has been made, for a period of no less than twenty one (21) days after the day the permit was issued.
- (5) The notices issued pursuant to Sections 20 (3), or (4) shall indicate:
 - (a) the date a decision on the development permit application was made;
 - (b) the location and use of the parcel in respect of which the application has been made and the decision of either the Development Officer, and
 - (c) that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the Subdivision and Development Appeal Board before the effective date of the development permit as determined pursuant to Section 21 of this Bylaw.

Section 21 Effective Date of Permit

The decision on a development permit application shall come into effect,

- (1) if it is made by the Development Officer or Summer Village Council, on the fourteenth (14) day after the date of the issue of the Notice of Decision, or
- (2) If an appeal is made, on the date that the appeal is finally determined.

Section 22 **Validity of Development Permits**

- (1) A development permit is valid unless:
 - (a) it is suspended or cancelled; or
 - (b) the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit, or not carried out with reasonable diligence; or
 - (c) the development that is the subject of the development permit is not commenced within a time period specified in the permit or not carried out with reasonable diligence, if the Development Officer, or Council has specified that the development permit is to remain in effect for less than twelve months.
- (2) If the development has not commenced prior to the expiry date of the Permit, the Development Officer may grant one extension, to a maximum of twelve months, to the approval of the Development Permit where requested by the applicant.
- (3) Temporary Development Permits shall have the expiry date of the permit clearly indicated on the notice of decision.

Section 23 **Deemed Refusals**

In accordance with Section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer, as the case may be, is not made within forty (40) days of the completed application being received by the Development Officer unless an agreement to extend the 40-day period herein described is established between the applicant(s) and the Development Officer.

Section 24 **Subsequent Applications**

If an application for a development permit is refused by the Development Officer or on an appeal from the Subdivision and Development Appeal Board, another application for development by the same applicant or any other applicant,

- (a) on the same parcel; and
- (b) for the same or similar use,

may not be made for at least six (6) months after the date of the refusal, subject to consideration by the Council.

Section 25 **Suspension or Cancellation of Development Permits**

- (1) If, after a development permit has been issued, the Development Officer becomes aware that:
 - (a) the application for the development contains a misrepresentation; or

- (b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
 - (c) the development permit was issued in error, the Development Officer, as the case may be, may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of it.
- (2) If a person fails to comply with a notice under Section 645 of the Act, the Development Officer may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.
 - (3) A person whose development permit is suspended or cancelled under this Section may appeal to the Subdivision and Development Appeal Board.

Section 26 Developer's Responsibility

- (1) A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (2) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- (3) The applicant shall prevent excess soil or debris from being spilled on public road allowances streets, lanes sidewalks, lakes, and run-off lanes and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (4) Sections 26 (2) and (3) may be enforced pursuant to PART 6 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Sections 18.
- (5) The Development Officer may require a Real Property Report prepared by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of a development permit application.
- (6) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Officer, has been undertaken.
- (7) Further to Section 26, a person in receipt of an occupancy permit issued pursuant to the Alberta Safety Codes is not in receipt of permission to occupy under this Bylaw.
- (8) A person in receipt of a development permit issued pursuant to this Bylaw must obtain where applicable a building permit issued pursuant to the Alberta Safety Codes, some of the regulations/provisions of which may not be consistent with the regulations/provisions of this Bylaw.
- (9) The Development Officer may require, with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipality to do all or any of the following:

- (a) To construct or pay for the construction of:
 - (i) a public roadway required to give access to the development, or
 - (ii) a pedestrian walkway system to serve the development; or
 - (iii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development or both; or
 - (b) To install or pay for the installation of utilities that are necessary to serve the development; or
 - (c) To construct or pay for the construction of:
 - (i) off-street or other parking facilities, and
 - (ii) loading or unloading facilities; or
 - (d) To pay off-site levy or redevelopment levy imposed by bylaw.
- (10) Where an application for a development permit is approved with conditions, the Development Officer may, before issuing the Development Permit, require the applicant or owner of the land affected by the Development Permit to enter into an agreement with the Municipality to ensure compliance with the condition and such an agreement may be protected by Caveat registered by the Municipality.

SUBDIVISION OF LAND

Section 27 **Control of Subdivision**

No subdivision of land shall be undertaken within the Municipality unless an application for it has been approved pursuant to Division 7 of the Municipal Government Act.

Section 28 **Subdivision Fees**

All fees and charges pursuant to this Bylaw shall be as established by a Municipal Services Agreement established by Resolution of Council.

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AMENDMENT AND ENFORCEMENT

Section 29 Development Appeals and Procedures

Development appeals and procedures must be undertaken in conformity with the Act.

Section 30 Subdivision Appeals and Procedures

Subdivision appeals and procedures must be undertaken in conformity with the Act.

Section 31 Application to Amend Bylaw

- (1) Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended in accordance with Section 31 of this Bylaw.

- (2) Application

Any person applying to have this Bylaw amended shall apply in writing to the Development Officer, using the application form provided by the Summer Village of Birch Cove, and request that the Development Officer submit the application to the Council.

- (3) As part of the application referred to in Section 31 (2), the applicant must provide the following information:

- (a) reasons in support of the application;
- (b) the use to be made of the land that is the subject of the application; and
- (c) the program of land servicing.

- (4) Payment and Undertaking

A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

- (a) pay the Summer Village of Birch Cove an application fee as set by Bylaw of Council;
- (b) undertake in writing on a form provided by the Summer Village of Birch Cove to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which Summer Village of Birch Cove may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and
- (c) sign a certificate authorizing the right of entry by the Development Officer to such lands or buildings as may be required for investigation of the proposed amendment.

(5) Investigation by Development Officer

Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
- (b) prepare a detailed report including all maps and relevant material f to consider.

(6) Procedure by Applicant

Upon receiving the preliminary advice of the Development Officer, the applicant shall advise the Development Officer if:

- (a) he or she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
- (b) he or she wishes to withdraw his application for an amendment.

(7) Decision by Council:

As soon as reasonably convenient the Development Officer shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Officer and other relevant material, if any, and the Council shall then consider the proposed amendment.

(8) Council May Direct Repayment:

If it appears that the proposed amendment is one which is applicable to and for the benefit of the Summer Village of Birch Cove at large, or most of the persons affected in one area, or to the entire district, then the Council may direct that the application fee be returned to the applicant and that the Summer Village of Birch Cove pay the expense which the applicant has agreed to pay pursuant to the provisions of Section 31.

(9) Amendments Proposed in Council:

Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Officer for reports and recommendations.

(10) Limit on Frequency of Applications:

Notwithstanding anything in this Section or this PART, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.

(11) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding enactment of Bylaws, Section 692 specifically.

- (12) Prior to third reading of a proposed amendment, Council may require the applicant to apply for a development permit and negotiate a development agreement for the proposal which initiated said proposed amendment.

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CONTRAVENTION, PENALTIES AND FINES

Section 32 Contravention

- (1) Contravention of the provisions of this Land Use Bylaw must conform to Section 645 of the Act.
- (2) Where a notice is issued under Section 645 of the Act, the notice shall state the following and any other information considered necessary by the Development Officer:
 - (a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
 - (b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - (c) A time frame in which the contravention must be corrected prior to the Summer Village of Birch Cove pursuing action; and
 - (d) Advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.

Section 33 Offenses and Penalties

This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Alberta Court of Appeal upon action brought by Council, whether or not any penalty has been imposed for the contravention.

- (1) A person who:
 - (a) contravenes any provision of the Act or the regulations under the Act,
 - (b) contravenes this Bylaw,
 - (c) contravenes an order under Section 32 of this Bylaw and/or Section 645 of the Act,
 - (d) contravenes a development permit or subdivision approval or a condition attached thereto, and/or
 - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw
 - (f) is guilty of an offense and is liable to a fine prescribed in Section 566 of the Municipal Government Act.
- (2) If a person is found guilty of an offense under Section 33 of this Bylaw (Section 557 of the Municipal Government Act), the court may, in addition to any other penalty imposed, order the person to comply with:
 - (a) the Act and the regulations under the Act,

- (b) this Bylaw,
 - (c) an order under Section 32 of this Bylaw and/or Section 645 of the Act, and/or
 - (d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- (3) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
- (a) delivered personally to the person or their agent it is directed to; or
 - (b) mailed by certified mail to the last known address of the person it is directed to; or
 - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

GENERAL REGULATIONS

Section 34 On-Parcel and Off-Parcel Services and Improvements

Where any on-parcel services or improvements, or any off-parcel local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Officer is satisfied that such services or improvements will be undertaken.

Section 35 Utility Easements

Subject also to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:

- (1) in the opinion of the Development Officer, the said structure does not restrict access to the utility easement for the purposes of installation or land maintenance of the utility, and
- (2) written consent has been obtained from the person for whose use the easement has been granted.

Section 36 Parcel Grading

In all cases, parcel grades shall be established with regard to preventing drainage from one parcel to the next except where drainage conforms to an acceptable local or subdivision drainage plan which has been approved by the Council.

Section 37 Building Appearance and Building Exteriors

- (1) The design, construction and architectural appearance of any building or structure shall be to the satisfaction of the Development Officer.
- (2) The exterior finish on all buildings shall be of a permanent material satisfactory to the Development Officer.

Section 38 Mobile Homes

Mobile homes of any kind are not allowed to be placed on any lot within the corporate boundaries of the Summer Village of Birch Cove.

Section 39 Corner and Double Fronting Sides

In residential areas, a parcel abutting onto two streets or more shall have a front yard on each street in accordance with the front yard requirements of this Bylaw.

In all cases the location of buildings on corner parcels shall be subject to approval by Council who shall take into account the location of existing adjacent buildings or the permitted setback on adjacent parcels where a building does not exist.

On any corner site in a residential district, no person shall erect, place or maintain within the site triangle a wall, fence, shrub, trees, hedge or any object over 0.9 m (3 ft) in height above the lowest street grade adjacent to the intersection.

Section 40 Dwelling Units on a Parcel

No person shall construct or locate or cause to be constructed or located more than one principal dwelling unit on a parcel.

Section 41 Building Attached to Principal Buildings

Where a building is attached to the principal building by an open or enclosed roofed structure, it is to be considered a part of the principal building and not an accessory building.

Section 42 Relocation of Existing Buildings Within the Boundaries of the Summer Village of Birch Cove

- (1) No person shall:
 - (a) place on a parcel a building which has previously been erected or placed on a different parcel, or
 - (b) alter the location of a building which has already been constructed on that parcel, unless the Development Officer approved the placement or alteration.
- (2) Approval shall not be granted under Subsection (1) unless the Development Officer is satisfied that:
 - (a) the placement or location of the building would meet the requirements of this Bylaw, and
 - (b) the building and the parcel meet the requirements of this Bylaw and the Land Use District in which it is proposed to be located.
- (3) The Development Authority shall require any applicant for a relocated building to submit recent photographs of the building which demonstrate the condition and appearance of the proposed building to the satisfaction of the Development Authority.

Section 43 Garages and Accessory Buildings

- (1) In residential districts, unless otherwise provided, garages and accessory buildings shall be built and located based on the following:

- (a) All required yards and setbacks are maintained.
 - (b) The total floor area for all buildings shall not exceed 40% of the area of the parcel.
 - (c) The Development Officer will require that there be adequate clearance between all buildings.
 - (d) In the case of lakefront parcels, all accessory buildings except boathouses shall be located in the rear yard and the rear half of the parcel.
 - (e) In the case of non-lakefront parcels, all accessory buildings shall be located in the rear yard and in the rear half of the parcel.
 - (f) A boathouse on a lakefront parcel will be located to the satisfaction of the Development Officer.
 - (g) All accessory buildings shall be fixed to the ground, or on a foundation.
 - (h) Where a garage door faces the roadway, the garage shall be set back 6.1 m (20.0 ft).
 - (i) Garages will be limited to a maximum of 1 1/2 storeys in height and shall not exceed 6.7 m (22.0 ft) in height.
 - (j) A guest house shall contain rooms for sleeping accommodation and bathroom facilities only and if additional rooms or facilities are contained therein, it shall be considered and evaluated as the dwelling unit.
 - (k) No eave of an accessory building shall be closer than 0.3 m (1 ft) to any property line, with the structure of any accessory building being no closer than 0.9 m (3 ft) from any property line.
 - (l) Accessory buildings shall not be erected unless the principal building has been erected, or the principal building will be erected simultaneously.
- (2) On lakefront parcels a residence, guest house, boathouse, and garage are allowed as long as the development adheres to all of the requirements of this Bylaw.
- (3) Private Swimming Pools and Hot Tubs:
- (a) Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants or their guests.
 - (b) No privately owned outdoor swimming pool or hot tub shall be constructed unless fenced; except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
 - (c) Every fence enclosing an outdoor swimming pool or hot tub shall be at least 1.5 m (5.0 ft) in height above the level of the grade outside the enclosure and shall be of approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection

equivalent to the fence and shall be equipped with a self-latching device located on the inside of the gate.

- (d) Notwithstanding the foregoing in Section 43 (3), a hot tub or outdoor swimming pool may alternatively be secured against entry by means of a locking cover suitable to the Development Authority.

Section 44 Accessory Uses

(1) Lakeshore Accessory Use:

- (a) Prior to the issuance of a development permit for a lakeshore accessory use, the Development Officer shall require a parcel plan giving information as to exact location in relation to property lines, architectural appearance, construction, materials, standards and access.
- (b) Any lakeshore accessory use which lies only partially within the Summer Village and therefore extends beyond the corporate boundaries of the Summer Village, shall require a development permit for that portion within said corporate boundary.

Section 45 Home Occupations

- (1) Home occupations shall be limited to those areas which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Home occupations shall not be a primary use of the residential building or garage and shall not:
 - (a) involve the storage of goods in the public view, a change in appearance of the residence or its accessory buildings, unless approved by the Development Officer;
 - (b) require alterations to the building unless the alterations are approved by the Development Officer; and
 - (c) shall not employ any employees who do not reside on-site.
- (2) Development approval for home occupations business signage shall be as described under Section 60.
- (3) Bed and Breakfast Operations

In addition to all other requirements of this Section, the following additional requirements shall apply to home occupations in the form of bed and breakfast operations, as defined in Section 10 of this Bylaw:

- (a) A bed and breakfast shall be limited to one meal provided on a daily basis to registered guests only with such meal being prepared in one common kitchen and served in one common room.
- (b) A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.

- (c) In addition to off-street parking requirements contained within Section 53 of this Bylaw, one (1) off-street parking space per rented guest room shall be required for a bed and breakfast operation.
- (d) A bed and breakfast shall be required to hold any permits or authorizations required by the local or Provincial Health Authority, as well as be in compliance with the Safety Codes Act.
- (e) A bed and breakfast shall contain a maximum of two guest suites.
- (4) Development approval for home occupations business signage shall be at the discretion of the Development Officer, and despite Section 61 of this bylaw, no sign shall be greater than (0.2 m²) 2.2 ft² and shall not be illuminated.
- (5) All permits for home occupations that are valid for one year may apply for renewal and shall be subject to the condition that they may be reviewed, and possibly revoked at any time, if, in the opinion of the Development Officer, the use is or has become detrimental or otherwise incompatible with the amenities of the neighborhood.
- (6) At all times, the privacy of the adjacent dwellings shall be preserved and shall not unduly offend the surrounding residents by way of excessive lighting, noise, traffic, congestion, late visitations by clients, etc.

Section 46 Short-Term Rentals

- (1) An owner of the lands where the Short-Term Rental is to be operated shall be upon the property for the term of the Short-Term Rental. Where the owner(s) is an incorporated company, a representative of the incorporated company shall be upon the property for the term of the Short-Term Rental.
- (2) The development of a Short-Term Rental in the Summer Village of Birch Cove shall require a Development Permit.
- (3) No development permit for a Short-Term Rental may be issued for a lot that does not conform with all other provisions of this Land Use Bylaw.
- (4) The development of a Short-Term Rental in the Summer Village of Birch Cove shall require a Development Permit annually. A development permit for a Short-Term Rental shall only be issued for a temporary period up to but not exceeding 12 months.
- (5) An application for a development permit for a Short-Term Rental shall include (in addition to the requirements of Section 5.4): a. the applicable fee as established in the Summer Village's Fees and Charges Bylaw; b. signatures of all property owners listed on the title; c. identification of what portion of the dwelling or suites are to be utilized as a Short-Term Rental, and total number of bedrooms; d. a home safety and evacuation floor plan of the premises; e. a parking plan that identifies the total area of the lot to be used for parking; f. information on where (or on what website) the Short-Term Rental will be listed for rental.
- (6) A maximum of one Short-Term Rental may be developed on a lot. A Short-Term Rental may be developed within:
 - a. an entire principal dwelling for which a development permit has previously been

- issued;
 - b. a portion of a principal dwelling for which a development permit has previously been issued;
 - c. a guest house suite for which a development permit has been previously issued.
- (7) A maximum of one rental booking may be scheduled at a time within an approved Short-Term Rental.
- (8) A Short-Term Rental with an approved development permit shall visibly display in the main entrance of the Short-Term Rental: a. a copy of the development permit outlining the maximum occupancy of the Short-Term Rental and the primary contact telephone number and email of the owners; and b. a home safety and evacuation floor plan of the premises.
- (9) A Short-Term Rental shall not be developed within:
- a. a recreational vehicle;
 - b. a tent or tented structure; or
 - c. an accessory building without cooking or bathroom facilities.
- (10) The maximum occupancy of a Short-Term Rental shall be:
- a. the total number of bedrooms times two (2) adults, to a maximum of 8 adults.
 - b. Children under the age of 12 do not calculate into the maximum occupancy of a Short-Term Rental.
- (11) A minimum of one (1) parking space per bedroom in the Short-Term Rental, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
- (12) The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the Short-Term Rental as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
- (13) The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the Short-Term Rental.
- (14) No signs advertising the rental of the Short-Term Rental shall be permitted onsite.
- (15) The owner(s) must ensure that the Short-Term Rental complies with the Summer Village's Fire Bylaw.
- (16) The owner(s) must provide each guest with a copy of the Short-Term Rental – Information for Guests Guidebook as produced by the Summer Village.

Section 47 Development on Lands Containing a High-Water Table

Residential development or any development generating sewage effluent shall not occur on lands containing a high water table unless and until satisfactory arrangements are made to provide adequate fill or trenching so as to lower the water table to a suitable level. In this respect the Development Officer may require testing to confirm that the water table has been suitably lowered.

The Development Officer may refer to Alberta Environmental Protection for their comments prior to issuing a development permit for filling or trenching for assistance in assessing any water table results.

Section 48 Flood Prone Lands

- (1) Development on land which may be subject to flooding shall be discouraged, especially on lands which are within the 1:100 year flood plain (723.8 m ASL), or as determined by Alberta Environment and the Summer Village of Birch Cove.
- (2) New development within a 1:100 flood risk area shall be subject to the following requirements:
 - (a) New development shall not be allowed unless it complies with Canada Mortgage and Housing Corporation standards for flood-proofing of buildings;
 - (b) The first floor and all mechanical and electrical installations within any structures or buildings shall be a minimum of 0.5 m (1.6 ft) above the 1:100 flood elevation level; and
 - (c) Buildings shall have no finished floor space below the 1:100 year flood elevation.
- (3) In floodway areas, new development shall not be permitted unless the proposed development is directly related to a recreational or lake use, such as picnic tables, boat docks, launch ramps, etc.
- (4) Development in areas with a potential to be flooded may have, at the discretion of the Development Officer, a restrictive covenant related to the approved development registered against the certificate of title for the subject property.
- (5) Development on lands which have a gross slope in excess of 15% shall be accompanied by a site plan designed and approved by a professional engineer.

Section 49 Environmentally Sensitive Lands

- (1) Development on lands which are designated or deemed by the Development Officer to be environmentally sensitive shall be discouraged.
- (2) When reviewing an application for development on environmentally sensitive lands, the Development Officer shall consider the following:
 - (a) The impact of the proposed development on the subject and surrounding area;
 - (b) The soil types and conditions of the area surrounding the subject property;
 - (c) Any information on the past history of the subject property and surrounding area from a geo-technical perspective; and
 - (d) Comments and recommendations from Alberta Environment.
- (3) As part of the development permit application, the Development Officer may require a Geo-technical study, prepared by a qualified geo-technical engineer, addressing the proposed development. The geo-technical study will establish building setbacks from

property lines based upon land characteristic of the subject property.

- (4) The Development Officer may require the following as a condition of approval for a development permit application on land which is considered environmentally sensitive:
- (a) That measures be taken to ensure that infiltration into area slopes, the subject property, and adjacent lands are minimized, and
 - (b) The registration of a restrictive covenant against the certificate of title for the subject property related to the approved development.

Section 50 Sewage Disposal

A development permit shall be required for construction of an on-parcel sewage collection system consisting of a CSA approved sealed impermeable holding tank. All dwellings must have an approved sewage disposal system.

Section 51 Water Supply

All wells and potable water cisterns shall require a development permit and shall be excavated in conformance with the Alberta Building Code and all such other regulations which may apply to their construction.

Section 52 Development of Hazardous Lands

- (1) It is the responsibility of the developer to provide adequate protection against flooding, subsidence and slumping and he shall engage such professional assistance as is determined necessary to protect his development.
- (2) Development on lands with a gross slope of greater than 15% shall be accompanied by a parcel plan designed and stamped by a professional engineer.
- (3) The Development Authority may consult with Alberta Environment to assist in determining high-water marks, floodplain area, banks and the like of the lake or its tributaries.

Section 53 Building Demolition

- (1) The demolition of a building shall require a Development Permit. Such a Permit shall not be approved without a statement indicating:
 - (a) how the demolition will be carried out; and
 - (b) how the parcel will be reclaimed and/or redeveloped.
 - (c) demolition must be completed within a six month time period.

Section 54 Off-Street Parking Development Regulations

- (1) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility to the satisfaction of the Development Officer or Municipal Council.
- (2) Except in the case of residential land use districts where the off-street parking area for an individual residential dwelling unit is accessed directly from the public street, and unless otherwise specified in this Bylaw, all off-street parking areas/facilities shall be separated from public streets by a landscaped area at least 1.0 m (3.28 ft) in width as measured from the outside edge of the parked vehicle to the edge of the public street right-of-way.
- (3) Except in the case of one and two family dwellings, including modular homes, off-street parking facilities shall be designed such that no vehicle is required to back out directly onto a public street, including laneways.
- (4) All off-street parking facilities shall be constructed according to the following standards:
 - (a) Necessary curb cuts shall be located and designed to the satisfaction of the Development Officer.
 - (b) In all land use districts where the requirement for off-street parking spaces exceeds two, except where more than one off-street parking spaces are required for a bed and breakfast operation in accordance with Section 54 of this Bylaw, every off-street parking space provided, and the access thereto, shall be hard-surfaced if the access is from a street or lane which is hard-surfaced, using the same or similar material for the off-street parking space as is found in the hard-surfaced street or lane giving access.

- (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential parcel and other parcel where in the opinion of the Development Officer or Municipal Council it would have adverse effects.
- (d) Grades and drainage shall dispose of surface water to the satisfaction of the Development Officer or Municipal Council. In no case shall grades be established that would permit surface drainage to cross any sidewalk or parcel boundary without the approval of the Development Officer or Municipal Council.
- (e) Parking for the physically handicapped shall be provided as provincial regulations require, be considered as part of the number of stalls required for the project and be clearly identified for use by the physically handicapped.

Section 55 Number of Off-Street Parking Stalls Required

- (1) A building or use shall not be enlarged or added to, nor shall the use be altered unless provision is made in accordance with this Bylaw to increase the number of parking stalls or loading spaces required on the total parcel for which the addition or change in use is proposed.
- (2) The minimum number of off-street parking stalls required for each use of building or development shall be as follows:
 - (a) Residential Dwelling 2 spaces per dwelling.
 - (b) Bed and Breakfast 1 space per sleeping unit.
 - (c) Boat Launches As required in Subsection (3)
- (3) Boat launches shall require a minimum of five parking spaces or such greater number as required by the Development Officer based on the size and frequency of use of the launch. Further, boat launch parking areas shall require curbs, markings and landscaping to the satisfaction of the Development Officer.
- (4) Where, in the opinion of the Development Officer, municipal parking facilities have previously been provided to specifically serve a proposed project, the number of parking stalls required on a parcel pursuant to Subsection (2) may be reduced accordingly.
- (5) The number of parking stalls required may be reduced where, in the opinion of the Development Officer, the parking required by various users on a parcel will vary according to time so that all needs as defined in this Bylaw can be met at any given time by a reduced number of stalls.
- (6) In the case of a use not specified in Subsection (2), the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.
- (7) Where a development on a parcel falls within more than one use of a building or development, the required number of spaces shall be the sum of the requirements for each of the uses as specified under Subsection (2).
- (8) Where there are a fractional number of parking spaces required by this Bylaw, the next highest number of stalls shall be provided.
- (9) No development shall be permitted unless all parking needs are accommodated on-site.

Section 56 Fences and Screening

- (1) In any district, a person shall not construct a fence, wall or permit a hedge to grow higher than 1.8 m (6.0 ft) unless a development permit has been provided.
- (2) Siting of a fence, wall or hedge over 1.8 m (6.0 ft) shall be determined by the Development Officer, taking into consideration the fences which exist on the parcels abutting the parcel in question.
- (3) Electrified or barbed wire fences will be permitted in a district at the discretion of the Development Officer but shall not be permitted under any circumstances in a residential district.
- (4) In front yards, no fence shall be higher than 0.9 m (3.0 ft), except in the case of double fronting sites, where fence height shall be at the Development Officer's discretion, but must be consistent with neighbouring properties. Front yard fences may be up to 1.5 m (5.0 ft) when the fence is constructed with open chain links.

Section 57 Non Conforming Uses

In accordance with the Municipal Government Act, the following shall apply to non-conforming uses and structures:

- (1) If a development permit has been issued on or before the day on which a land use bylaw or a land use bylaw amendment bylaw comes into force in the Summer Village and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
- (2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw in effect.
- (3) A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to or in it.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building,
 - (b) for routine maintenance of the building, if the development authority considers it necessary, or
 - (c) in accordance with this Bylaw where the Development Authority may approve minor variances which include, but are not necessarily limited to: foundation repairs, addition of open porches or decks, or replacement of roofing and siding on a building.

- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except where allowed under this Bylaw.
- (7) The land use or the use of the building is not affected by a change in ownership or tenancy of the land or building.

Section 58 Prohibited Structures

For the purposes of this bylaw, the following shall apply as prohibited structures:

- (1) Pit toilets
- (2) Mobile homes, trailers, and recreational vehicles on a vacant lot
- (3) The placing of refuse or waste material on any land,
- (4) The more frequent or intensive use of land for the parking of trailers, bunkhouses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed or affixed to the land in any way.

Section 59 Temporary Living Accommodation

- (1) No recreational vehicle shall be parked on any undeveloped lot within the Village, except that any person in possession of a valid building permit can be granted a development permit to park and use a holiday / vacation trailer for a temporary residence during the construction of the permanent residence.
- (2) The development permit for (1) above shall be restricted to a period of six months, but on request to Council may be extended for an additional six months.
- (3) A recreational vehicle, holiday trailer, motor home, camper or tent trailer shall not be used as a permanent or seasonal dwelling unit. Two (2) of these units can be used as guest accommodation on a developed lot provided a permanent dwelling exists on the property.

Section 60 Landscaping

- (1) In all land use districts, no person shall commence or continue the removal of topsoil, without first obtaining an approved development permit.
- (2) Development permit applications shall be accompanied by a general site grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
- (3) There shall be provided upon occupancy of the development, a minimum topsoil coverage of 7.5 cm (0.25 ft.) and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (4) In any commercial, all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Officer.

Section 61 Signs

- (1) No signs or advertising structures of a commercial, direction, or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an

application for this purpose has been approved and a development permit has been issued.

- (2) No signs or advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the municipality.
- (3) Notwithstanding the generality of the above or the above provisions, the following signs may be erected on land or affixed to the exterior of a building or structure without application for a development permit, provided that no such signs are illuminated;
 - (a) signs for the purpose of identification, direction, and warning;
 - (b) signs relating to a person, partnership or company carrying on a profession, business or trade;
- (4) signs related to an institution of a religious, education, cultural, recreational, or similar character; provided that the sign does not exceed a maximum of 1.1 m² (12 ft²) and is limited to one such sign per lot; and
 - (a) advertisements in relation to the function of public or quasi-public bodies.
- (5) No sign or advertisement shall resemble or conflict with a traffic sign.

ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 62 Land Use Districts

The municipality is hereby divided into the following districts:

Short Form	District Designation
R	Residential District
P	Park District

Section 63 Land Use District Map

- (1) Land use districts specified under Section 61 are described in the short form on the LAND USE DISTRICT MAP
- (2) The district boundaries are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the boundary of any district, the following rules shall apply:
 - (a) Where district boundaries are shown to approximate the following, they shall be deemed to be:
 - (i) the parcel boundaries, or
 - (ii) the municipal boundaries.
 - (b) District boundaries not referenced specifically to items indicated in clause (a) shall be determined on the basis of the scale of the map.
 - (c) Where land use districts have been established in accord with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the plan of survey when registered in a Land Titles Office. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map.
- (3) The district regulations of this Bylaw do not apply to roads, lanes or other public thoroughfares.

Section 64 R – Residential District

- (1) General Purpose of District

To provide an area for low density residential development in the form of single detached dwellings and compatible uses in a lakeshore setting.

(2) Permitted Uses

- Single detached dwelling
- Sewage collection system

Discretionary Uses

- Accessory buildings
- Home occupation
- Guest House/ Bed & Breakfast
- Modular Homes
- Public park
- Public utility building and operations
- Temporary Living Accommodation
- Well
- **Short-Term Rental**

(3) Site Requirements:

- (a) Coverage of all buildings shall not exceed 40% of the total area.
- (b) Minimum floor area per dwelling unit (not including attached garage or deck) 75.0 m² (800 ft²).
- (c) Minimum area of lot 557 m² (6000 ft²).
- (d) No principal building shall be less than 6.0m (20.0 ft.) in width, not including decks, porches or any other attachment.
- (e) Two recreational vehicles only shall be allowed on a lot with a principal dwelling. One recreational vehicle is permitted during the construction of a principal dwelling provided a Development Permit is obtained.
- (f) Maximum Height:
 - (i) (Primary Building): Maximum of 9.4 m (31 ft) measured from grade to the highest point.
 - (ii) (Accessory Buildings): Maximum of 6.7 m (22 ft) and may exceed the height of the primary dwelling measured from grade to the highest point. Guest homes over garages are subject to accessory building maximum height regulations.
- (g) Minimum Front Yard Setback:
 - (i) In the case of a lake front lot, the street facing yard shall be regarded as a rear yard.
 - (ii) Lakefront - at the discretion of the Development Officer but not less than 8.0 m (26.2 ft).
 - (iii) Street Front - 6.1 m (20.0 ft).
- (h) Minimum Side Yard Setback:
 - (i) (Principal Building) Minimum of 1.5m (5.0 ft.).
 - (ii) (Accessory Building) Minimum of 1.0m (3.0 ft.).

- Section 65 P – Park and Recreation District

- The General Purpose of this District is to provide land for active or passive recreational and leisure pursuits.

- ### (3) Development Regulations

All regulations shall be at the discretion of the Development Officer. The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibilities with development in abutting districts.

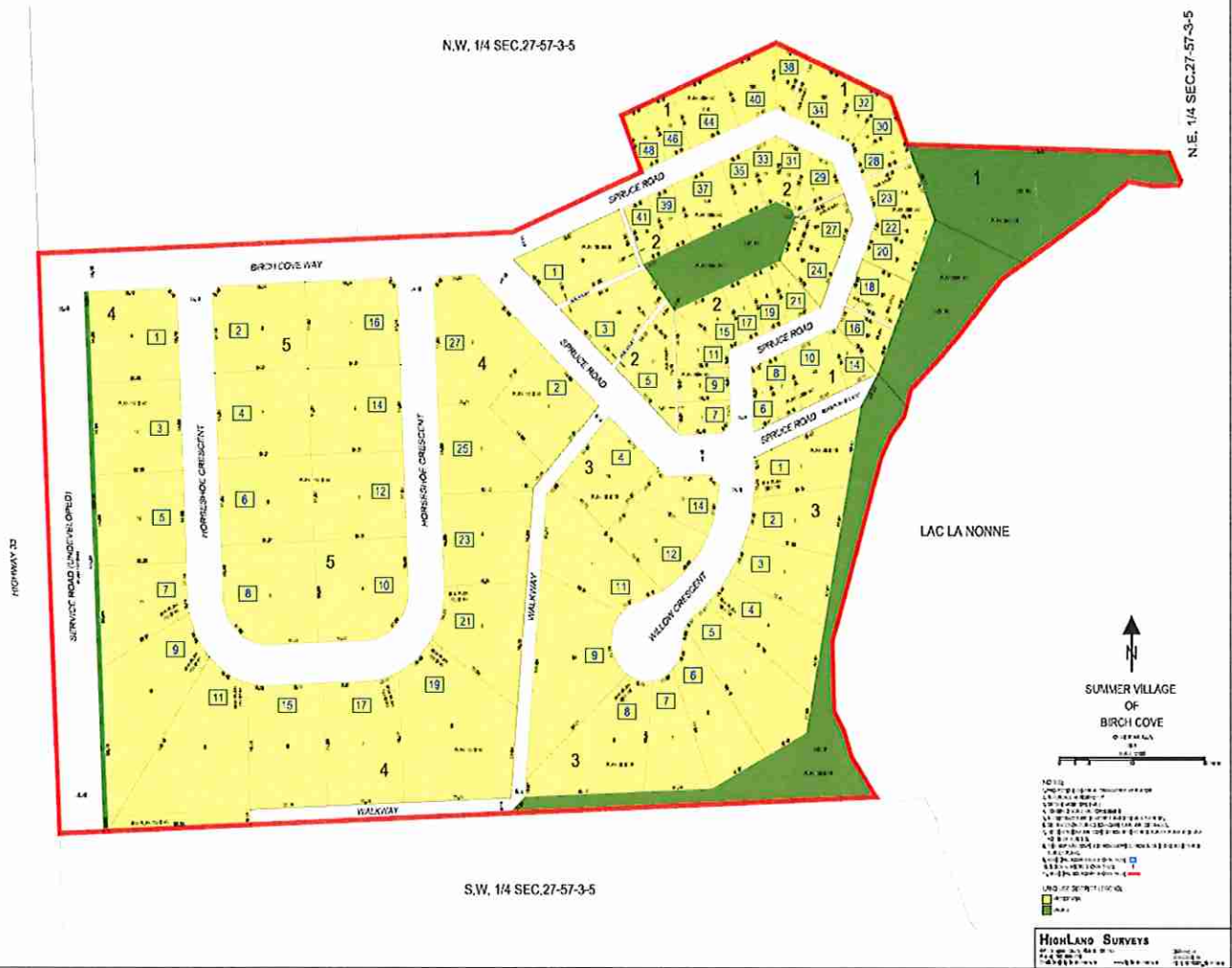
(4) Parking and Loading

The provision for parking and loading shall be at the discretion of the Development Officer except as otherwise specified within this Bylaw.

DRAFT

Schedule A

Land Use Bylaw Map



PART 9 – ADMINISTRATION AND ENACTMENT

SECTION 66 REPEAL OF EXISTING CONTROLS

Bylaw 96-10, and amendments thereto, are hereby repealed.

SECTION 67 DATE OF COMMENCEMENT

This Bylaw shall come into full force and effect upon the date of it finally being passed.

READ A FIRST TIME IN COUNCIL THIS _____ OF _____, 2025 A.D.

(MAYOR)

(CHIEF ADMINISTRATIVE OFFICER)

HAVING RECEIVED PUBLIC HEARING THIS _____ OF _____, 2025 A.D.

READ A SECOND TIME IN COUNCIL THIS _____ OF _____, 2025 A.D.

(MAYOR)

(CHIEF ADMINISTRATIVE OFFICER)

READ A THIRD AND FINAL TIME IN COUNCIL THIS _____ OF _____ 2025 A.D.

(MAYOR)

(CHIEF ADMINISTRATIVE OFFICER)

Summer Village of Birch Cove

BY-LAW NO. 121-13

Being a By-law of the Summer Village of Birch Cove in the Province of Alberta to provide for the regulation of Untidy and Unsightly Land or Premises

WHEREAS a Council of the municipality may, pursuant to Section 7 of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta 2000, and amendments thereto, pass bylaws respecting untidy and unsightly land or premises;

NOW THEREFORE the Municipal Council of the Summer Village of Birch Cove, duly assembled, hereby enacts as follows:

I. Title:

This Bylaw may be cited as the Untidy and Unsightly Bylaw of the Summer Village of Birch Cove.

II. Definitions:

In this Bylaw:

1. "Council" shall mean the municipal Council of the Summer Village of Birch Cove duly assembled and acting as such;
2. "Highway" has the same meaning as defined in the Highway Traffic Act;
3. "Litter" shall mean any solid or liquid material or product or combination of solid or liquid materials or products including but not limited to:
 - A) any rubbish, refuse, garbage, package, container, bottle, can, manure, human or animal excrement or sewage or the whole or part of an animal carcass; or
 - B) the whole or part of any article, raw or processed material, construction material, motor vehicle, or other machinery that is disposed of, or in a wrecked, discarded, or abandoned condition;
 - C) any hazardous, flammable or explosive material;
 - D) any tree's which are dead or dying, which may interfere with a neighboring property, or which may create a hazard;
 - E) any underbrush which may cause a fire hazard, including grass, or any other type of growth or litter which may be dangerous to any resident.
 - F) any structure, or part thereof, which may cause a hazard or be dangerous to any resident.
4. "Owner" shall mean any person who is registered under the Land Titles Act as the owner of the land;
5. "Peace Officer" shall mean a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Special Constable as appointed by the municipality;
6. "Premises" shall mean the exterior walls and the components of any building or structure and shall include the land, accessory buildings, fences and erections thereon;

7. "Village" shall mean the Summer Village of Birch Cove, a municipal corporation of the Province of Alberta, and includes the area contained within the boundaries of the Village where the context so requires;
8. "Unightly" means the premises that have not been maintained in order to prevent their deterioration due to weather, rot or insect and not free from loose and broken materials.
9. "Untidy" shall mean the land that is not protected by suitable ground cover which prevents erosion of the soil or the devaluation of the neighboring property and shall also include grass, plants, tree's and vegetation which is not trimmed;

III. Prohibitions

1. No person being the owner, agent, lessee or occupier of any land within the Village shall permit the land or premises of which such person is the owner, agent, lessee, or occupier to be in or remain unsightly.
2. No person being the owner, agent, lessee or occupier of any land within the Village shall permit the land of which such person is the owner, agent, lessee, or occupier to be in or remain untidy.
3. No person being the owner, agent, lessee or occupier of any land within the Village shall permit the land of which such person is the owner, agent, lessee, or occupier to have materials defined as litter on the property causing the property to be unsightly or untidy.
4. The owner, agent, lessee, or occupier of any land within the Village shall cut the grass of the portion of the highway that lies between the boundary of this land and the centre of the highway which abuts or flanks the property of which such person is the owner, agent, lessee or occupier.

IV. Enforcement

1. A Peace Officer may, for the purpose of performing his or her duties and exercising his or her powers under this bylaw, enter at any reasonable hour and inspect the land or premises.
2. Where any lands or premises in the Village are found to be in contravention of this bylaw, the Peace Officer shall give notice in writing to a person who is under a duty imposed by this bylaw to prevent such a condition and to remedy the same, and the Peace Officer may direct that this be done in such a manner as he or she deems advisable on or before a day to be named in the notice.
3. The Peace Officer shall give not less than fifteen (15) days notice from the date of delivery of the notice for its compliance.
4. A) Notice to the Owner given by the Peace Officer under the provisions of this bylaw shall be in writing and in quadruplicate in Form A as set out in a schedule to this bylaw.

B) One of the notices shall be served on the person to whom it is addressed, one to the assessed owner, one shall be delivered to the Municipal Administrator and the fourth shall be retained by the official giving the notice.

C) A notice given by the Peace Officer pursuant to any of the provisions of this bylaw shall be deemed to have been duly given and served on the person to whom it is addressed if:
 - i) the notice is personally delivered to the person to whom it is addressed; or

- ii) the notice is left with a person apparently over the age of sixteen (16) years at the place of abode of the person to whom the notice is addressed; or
 - iii) the notice is sent by registered mail to the last known postal address of the person to whom the notice is addressed, or as shown on the assessment roll as the case may be; or
 - iv) posting the notice in a conspicuous place on the land referred to in the notice or on any building or erection thereon when the Peace Officer has reason to believe:
 - a) that the person to whom the notice is addressed is evading service thereof; or
 - b) for any reason it is improbable that the notice will be received by the person to whom it is addressed within three days of the date of the notice if it is delivered in any of the ways mentioned in this section.
- 5. If, after the day designated for the compliance in any notice given pursuant to this bylaw, the owner fails to remedy the condition stated in the notice, the Peace Officer may report the same to Council
- 6. Upon consideration of the report, Council may direct that a notice in writing be served upon the owner involved in the infraction.
- 7. This notice shall be in Form B as set out in a schedule to this bylaw with:
 - A) a description of the land on which the infraction reported is located:
 - B) a description of the infraction reported:
 - C) The date, time and place at which Council will consider the matter:
 - D) That Council may make an order declaring an infraction and ordering the remedying of the condition or the removal of the contravention:
 - E) That the owner shall be entitled, before enactment of the order, to make representation to the Council and set forth his reasons why an order should not be made.
- 8. The notice shall be served upon the owner in the same manner as set out in Enforcement Section 4, not less than ten (10) days preceding the date of the order being considered by Council.
- 9. When the owner is not resident in Alberta, or his present address is unknown, the notice shall be served upon him by mailing it to him at his latest known address as shown on the assessment roll not less than fifteen (15) days preceding the date the order is to be first considered by Council.
- 10. The owner may appeal before Council in person or by a representative.
- 11. A) If, following the hearing, Council is of the opinion that there is an infraction, it may declare it to be so, and issue an order in Form C as set out in a Schedule to this bylaw.
 - B) Any such order may require the owner, within a period of time which shall not be less than fifteen (15) days from the date of making of the order, to remedy the untidy or unsightly condition of the premises in the matter set forth in the order.
 - C) If the owner does not remedy the condition within the period specified within the order, the said person authorized in the order shall remedy the condition to the extent directed in the order.
 - D) If the owner does not remedy the condition within the period specified within the order, the Village shall remedy the condition to the extent directed in the order and the costs incurred to remedy the condition are chargeable to the owner and recoverable as a debt due to the Village.

E) The Village may cause these costs to be added to the tax roll as a charge against the lands of the owner in the same manner as taxes and with the same priority as to lien and to payment thereof as is in the case of ordinary municipal taxes.

12. Any owner, agent, lessee, or occupier who receives a notice, order or direction requiring him to remedy any condition that constitutes untidy or unsightly premises, or that contravenes or fails to comply with this bylaw and who thinks himself aggrieved, may appeal within fifteen (15) days from the date of issue to the Court of Queen's Bench.

V. Penalties

1. A) Any person who contravenes, disobeys, refuses or neglects to obey any provision of the bylaw by:
 - i) doing any act or thing which he or she is prohibited from doing herein:
 - ii) failing to do any act or thing he or she is required to do herein:is guilty of an offence and is liable to a fine of three hundred dollars (\$300.00).
- B) If a person is convicted of an offence under this bylaw, the court may, in addition to a penalty under subsection (V,1,A), order that the convicted person remedy the unsightly or untidy premises or land as the court considers appropriate.
2. A) Notwithstanding any other provisions for penalties in this bylaw, an Enforcement Officer may, in lieu of issuing a notice in respect to an alleged breach of any prohibition of this bylaw, issue a voluntary penalty ticket and the accused may within fifteen (15) days of the issuance of such ticket pay the Village the same monetary penalty as may be imposed under the provisions of this bylaw, as outlined in Section V.1.(A).
- B) By paying such monetary penalty as prescribed in this section, an accused shall be deemed to be guilty of the offense for which such penalty was paid.
- A) In the event that the prescribed voluntary penalty is not paid within the time allotted herein, an Enforcement Officer may thereafter issue a notice in respect to the alleged breach for which the voluntary penalty ticket was issued.

This bylaw hereby shall come into full effect on the final reading thereof and will repeal Bylaw # 37, the Nuisance Bylaw and Bylaw # 121-13.

READ A FIRST TIME IN COUNCIL

THIS 13TH DAY OF SEPTEMBER 2013

READ A SECOND TIME IN COUNCIL

THIS 13TH DAY OF SEPTEMBER 2013

**READ A THIRD TIME IN COUNCIL
AND DULY PASSED**

THIS 13TH DAY OF SEPTEMBER 2013

signed this 13th day of September, 2013.

Mayor Eugene Dugan

Municipal Administrator
Dennis Evans

Summer Village of Birch Cove

SCHEDULE TO BYLAW NO. 121-13 FORM 'A'

NOTICE TO OWNER

TO:

DATE: _____

RE: Property located at:

In the Summer Village of Birch Cove, Alberta

WHEREAS Bylaw 121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove provides:

Prohibitions

No person being the owner, agent, lessee or occupier of any land or premise within the Summer Village of Birch Cove shall permit the land or premises to be in or remain in an untidy or unsightly condition.

AND WHEREAS the following definitions are provided

- "Unsightly" means the premises that have not been maintained in order to prevent their deterioration due to weather, rot or insect and not free from loose and broken materials;
- "Untidy" means the land that is not protected by suitable ground cover which prevents erosion of the soil or the devaluation of neighboring property and shall also include grass, plants, tree's and vegetation which is not trimmed;

AND WHEREAS a complaint has been received in respect to the above noted premises or land.

NOW THEREFORE, pursuant to Bylaw No.121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove, take notice that those premises or land located at the above noted address have been found to be Untidy or Unsightly in that they:

AND FURTHER TAKE NOTICE that if the said untidy or unsightly condition is not remedied within fifteen (15) days from the date of issue that the matter may be reported to Council requesting an order directing you to do the remedy the condition.

SUMMER VILLAGE OF BIRCH COVE

Per:

Box 7, Site 19, RR 1, Gunn, Alberta T0E 1A0
Phone: 780-446-1426 email: d.evans@xplornet.com

Summer Village of Birch Cove

SCHEDULE TO BYLAW NO.121-13 FORM 'B'

NOTICE OF HEARING

TO:

DATE: _____

RE: Property located at

In the Summer Village of Birch Cove, Alberta

WHEREAS the Council of the Summer Village of Birch Cove is to consider a NOTICE TO OWNER report of the Peace Officer, a copy of which is attached hereto, indicating an infraction of Bylaw No.121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove;

NOW THEREFORE TAKE NOTICE that the Council of the Summer Village of Birch Cove at the hour of 0:00 P.M. on the day of , , at , will consider the said report of the Peace Officer;

AND FURTHER TAKE NOTICE that you or your representative shall at such time be entitled to make a presentation to Council setting forth your reasons why an Order should not be made.

AND FURTHER TAKE NOTICE that following the Hearing, and whether or not you or your representative makes a presentation, Council may make an order declaring there has been an infraction of Bylaw No.121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove, and ordering the remedying of the condition.

SUMMER VILLAGE OF BIRCH COVE

Per:

Summer Village of Birch Cove

SCHEDULE TO BYLAW NO. 121-13 FORM 'C'

ORDER

TO:

DATE: _____

RE: Property located at

In the Summer Village of Birch Cove, Alberta

WHEREAS at a meeting of Council held on the _____ day of _____, the Council of the Summer Village of Birch Cove considered a report of the Peace Officer, indicating an infraction of Bylaw No. 121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove occurring in respect to the above land or premises.

AND WHEREAS after reviewing the said report and hearing presentations, it is Council's opinion that the said premises noted above in the Summer Village of Birch Cove is in contravention of Bylaw NO. 121-13, in that

NOW THEREFORE BE IT ORDERED that the owner, namely: _____ of _____ do on or before the _____ day of _____, A.D., _____, remedy the said untidy or unsightly condition on those premises or lands described as (address), Summer Village of Birch Cove, Alberta, by: (description of work to be done)

AND IT IS FURTHER ORDERED that if the said condition on the said premises or land is not remedied in the manner above stated by the said date, the Summer Village of Birch Cove will take immediate and all necessary action to remedy the condition in the manner above stated.

AND IT IS FURTHER ORDERED that all costs incurred to remedy the infraction are chargeable to the said owner, and are to be added to the tax roll as a charge against the lands of the said owner in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.

ORDERED BY COUNCIL of the Summer Village of Birch Cove this _____ day of _____, A.D. _____

Summer Village of Birch Cove:

Mayor

Municipal Administrator

Summer Village of Birch Cove

SCHEDULE TO BYLAW NO. 121-13 FORM 'D'

FINE \$300.00

TO:

DATE: _____

RE: Property located at

In the Summer Village of Birch Cove, Alberta

WHEREAS Bylaw 121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove provides:

Prohibitions

No person being the owner, agent, lessee or occupier of any land or premise within the Summer Village of Birch Cove shall permit the land or premises to be in or remain in an untidy or unsightly condition.

AND WHEREAS the following definitions are provided

- "Unsightly" means the premises that have not been maintained in order to prevent their deterioration due to weather, rot or insect and not free from loose and broken materials;
- "Untidy" means the land that is not protected by suitable ground cover which prevents erosion of the soil or the devaluation of neighboring property and shall also include grass, plants, tree's and vegetation which is not trimmed;

NOW THEREFORE, pursuant to Bylaw No.121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove, take notice that those premises or land located at the above noted address have been found to be Untidy or Unsightly in that they:

NOW THEREFORE, pursuant to Bylaw No.121-13, the Unsightly and Untidy Bylaw of the Summer Village of Birch Cove,

V. Penalties

2. A) Any person who contravenes, disobeys, refuses or neglects to obey any provision of the bylaw by:
 - iii) doing any act or thing which he or she is prohibited from doing herein:
 - iv) failing to do any act or thing he or she is required to do herein:is guilty of an offense and is liable to a fine of three hundred dollars (\$300.00).

AND TAKE FURTHER NOTICE that the fine, if not paid in thirty (30) days, the amount of the fine will be added to the tax roll as a charge against the lands of the said owner in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.

PROPOSED NEW BYLAW

BYLAW NO. 169-25

PROVINCE OF ALBERTA

SUMMER VILLAGE OF BIRCH COVE

A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE, IN THE PROVINCE OF ALBERTA, TO REGULATE, CONTROL AND ABATE NUISANCES, INCLUDING DANGEROUS AND UNSIGHTLY PREMISES.

WHEREAS the *Municipal Government Act* authorizes a Municipal Council to pass Bylaws respecting nuisances generally, including unsightly premises;

AND WHEREAS Council deems it desirable to regulate, control and abate nuisances including dangerous and unsightly premises within the Summer Village of Birch Cove;

NOW THEREFORE the Municipal Council of the Summer Village of Birch Cove, duly assembled, hereby ENACTS AS FOLLOWS:

PART 1 SHORT TITLE

1 This Bylaw shall be cited as the "Dangerous and Unsightly Premises Bylaw".

PART 2 PURPOSE

2 The purpose of this Bylaw is to establish and enforce minimum standards relating to the state of repair and maintenance of property and to regulate, control and abate nuisances.

PART 3 DEFINITIONS

3 In this Bylaw:

- (a) "Bylaw" means a Village bylaw, including any amendments thereto;
- (b) "Chief Administrative Officer" or "CAO" means the Village's Chief Administrative Officer or designate;
- (c) "Council" means the Village's Municipal Council;
- (d) "Court" means the Provincial Court of Alberta;
- (e) "Derelict Vehicle" shall mean:
 - (i) the whole or any part of any vehicle or vehicles which are not currently registered with Alberta Motor Vehicle Registries for the current year or are inoperative by reason of disrepair, removed parts or missing parts or equipment; and
 - (ii) a vehicle that is not located in a structure and does not form part of a business enterprise lawfully being operated on that property.

- (f) "Designated Officer" means the Chief Administrative Officer or such other person as may be appointed from time to time by the Chief Administrative Officer;
- (g) "Good Repair" means a condition where something is free from:
 - (i) Significant damage;
 - (ii) Peeling surfaces;
 - (iii) Broken missing or fallen parts;
 - (iv) Rot or other significant deterioration;
 - (v) Openings that are not secured against trespassers or infiltration of air and precipitation;
 - (vi) Other visual evidence of a lack of general maintenance.
- (h) "Municipal Violation Tag" means a Village-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Village in lieu of prosecution for the offence;
- (i) "Nuisance" means any act or deed, practice or thing which, in the opinion of the Designated Officer or Council, is or could be reasonably considered to be annoying, troublesome, destructive, harmful, inconvenient, unsanitary, unsightly, unsafe or injurious or dangerous to health to a person or property.
- (j) "Owner", "Own" or "Owns" means:
 - (i) in respect of land, the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land; or
 - (ii) in respect of any property other than land, the person in lawful possession of it.
- (k) "Person" includes any individual, corporation, society, association, partnership, firm, trustee, executor, administrator or other legal representative;
- (l) "Premises" means land, improvements to land, structures located on land or personal property within the Village;
- (m) "Public Lands" means all lands under the ownership and control of Her Majesty the Queen in right of Canada, His Majesty the King in right of Alberta, or the Village;
- (n) "Structure" means a building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land and includes but is not limited to any building, retaining wall, scaffolding, garbage container, trailer, mobile home, shed, portable garage, modular home, manufactured home and sea container.
- (o) "Unsecured Garbage Waste" means waste that is not properly contained or secured, making it accessible to various pests, including rodents, insects and wildlife.
- (p) "Unsightly Premises" means any Premises which is, in the opinion of the Designated Officer of Council, unsightly whether or not it detrimentally affects the repose, amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the Premises.

- (q) "Village" means the Sumer Village of Birch Cove, a Municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the Summer Village of Birch Cove;
- (r) "Violation Ticket" means a violation ticket issued in accordance with the *Provincial Offences Procedure Act* R.S.A. 2000, c.P-34 (as amended) and regulations thereunder

PART 4 PROHIBITIONS

- 4 The Owner of land shall not cause or allow his land or his use of his land to constitute a Nuisance.
- 5 The Owner of land shall not cause or allow his land to be an Unsightly Premise.
- 6 No person shall cause, permit or allow scrap metal or any Derelict Vehicle to collect, accumulate or be upon lands owned or occupied by him or under his responsibility, or upon Public Lands adjoining lands owned or occupied by him, or under his responsibility.
- 7 No Person shall cause, permit or allow storage in the front yard of his property if the property is in an area zoned as residential under the Village's Land Use Bylaw.
- 8 No Owner shall permit, allow or condone the use of his property in a residential area for the storage or repair, cleaning, maintenance, collection or servicing of mechanical equipment including but not limited to bulldozers, graders, backhoes, pay loaders, cranes, tractors, semi-trailers, or similar heavy equipment.
- 9 No Owner of a Premise shall allow a Structure or fence to become a safety hazard.
- 10 Every Owner of a property shall ensure that following are maintained in Good Repair:
- (1) fences;
 - (2) Structures and their components, including:
 - (a) foundations and foundation walls
 - (b) exterior walls and their components
 - (c) roofs
 - (d) windows and their casings
 - (e) doors and their frames
 - (3) protective or decorative finishes of all exterior surfaces of Structures or fence; and
 - (4) exterior stairs, landings, porches, balconies and decks.
- 11 Every Owner of a property shall ensure the good maintenance and upkeep of yards and lawns on the property. Without limiting the generality of the foregoing, examples of a disregard for general maintenance and upkeep of a yard or lawn include the following:
- (1) Unkempt grass or weeds higher than 15 centimeters; and
 - (2) Excessive accumulation of grass clippings or fallen leaves.
 - (3) Unsecured Garbage Waste

PART 5 ENFORCEMENT

Offence

12 A Person who contravenes this Bylaw is guilty of an offence.

Continuing Offence

13 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect to 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 the amount not less than that established by this bylaw for each such day.

Vicarious Liability

14 For the purpose 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 in the course of the employee or agent's exercising the powers or performing the duties on behalf of the Person under their employment or agency relationship.

Corporations and Partnerships

15 When a corporation commits an offence under this Bylaw, every director, officer, 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.

16 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.

Fines and Penalties

17. If a Designated Officer believes on reasonable and probable grounds that an offence has been committed or that an Owner has not complied with the offence, he may issue a ticket for a fine of:

- (1) \$250.00 for any offence;
- (2) \$500.00 for any offence;
- (3) fines double for any similar subsequent offence pertaining to the same property within 12 months of the date of the previous offence.

Municipal Violation Tag

18 If a Municipal Violation Tag is issued in respect of an offence, the Municipal Violation Tag must specify the fine amount established by this Bylaw for the offence.

19 A Municipal Violation Tag issued under this Bylaw may be served:

- (1) by delivering it personally to the individual;
- (2) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
- (3) by mail to the address shown on the tax roll of the Village or at the Land Titles Registry.

- 20 In the case of a Corporation, a Municipal Violation Tag may be served:
- (1) by delivering personally to any director or officer of the corporation;
 - (2) by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
 - (3) by mail to the registered office of the corporation.

Payment in Lieu of Prosecution

21 A Person who commits an offence may, if a Municipal Violation Tag is issued in respect of the offence, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

Violation Ticket

- 22 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (1) specify the fine amount established by this Bylaw for the offence; or
 - (2) require a Person to appear in Court without the alternative of making a voluntary payment.

Voluntary Payment

- 23 A person who commits an offence may:
- (1) if a Violation Ticket is issued in respect of the offence; and
 - (2) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine.

Order to Comply

24 If the CAO believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the CAO may, by written order pursuant to Section 545 of the *Municipal Government Act*, require any Person responsible for the contravention to remedy it.

- 25 The order may:
- (1) direct a Person to stop doing something or to change the way in which the Person is doing it;
 - (2) direct a Person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a Structure that has been erected or placed in contravention of this Bylaw and, if necessary, to prevent a re-occurrence of the contravention;
 - (3) state a time within which the Person must comply with the directions;
 - (4) state that if the Person does not comply with the directions within a specified time, the Village will take the action or measure at the expense of the Owner, the said expense being recoverable pursuant to the provisions of the *Municipal Government Act*.

26 If in the opinion of the CAO, any property within the Village that is found to be an Unsightly Premise, the CAO may by written order:

- (1) require the Owner of the Unsightly Premise to remove or demolish the Unsightly Premise;

- (2) require the Owner of the Unsightly Premise to improve the appearance of the property in the manner specified, or if the property is a Structure, to remove or demolish the Structure and level the site.

27 A Person named in and served with an order issued pursuant to this section shall comply with any action or measure required to be taken within the time specified.

28 An order issued pursuant to this section may be served:

- (1) by delivering it personally to the individual;
- (2) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
- (3) by mail to the address shown on the tax roll of the Village or at the Land Titles Registry.

29 In the case of a Corporation, an order may be served:

- (1) by delivering personally to any director or officer of the corporation;
- (2) by delivering it personally to a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
- (3) by mail to the registered office of the corporation.

Obstruction

30 A person who contravenes or does not comply with an order under this Part or who obstructs or hinders any person in the exercise or performance of the person's powers under this Part, is guilty of an offence under section 557 of the *Municipal Government Act*.

Review Process for Orders

31 An Owner who receives a written order under this Part may request the Council to review the order by written notice within 14 days of the day the order is received.

32 After reviewing the order, Council has the authority to review and confirm, vary, substitute or cancel the order.

33 An Owner affected by the decision of Council under Section 31 may appeal to the Court of Queen's Bench in accordance with section 548 of the *Municipal Government Act*.

PART 6 GENERAL

Power of the Chief Administrative Officer

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

- (1) Carry out any inspections to determine compliance with this Bylaw;
- (2) Take any steps or carry out any actions required to enforce this Bylaw;
- (3) Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (4) 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;

(5) Establish forms for the purpose of this Bylaw; and

(6) Delegate any powers, duties or functions under this Bylaw to an employee or contractor of the Village.

Severability

35 Should any provision of this Bylaw be invalid, then such provision shall be severed and the remainder of the Bylaw shall remain in force.

Number and Gender References

36 All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female Person, or a corporation or partnership.

Liability

37 The Village, any Designated Officer or any Person who inspects any Property under this Bylaw, or any Person who performs any work on behalf of the Village to remedy a contravention of this Bylaw is not liable for any damages caused by the inspection, the work or disposing of anything to complete the work set out in the order.

Enforcement of this Bylaw

38 The Village is not required to enforce this Bylaw. In deciding whether to enforce this Bylaw, the Village may take into account any practical concerns, including available municipal budget and personnel resources.

Bylaw Coming into Effect

39 This Bylaw takes effect on the final passing thereof and, on such final passing, Bylaw 121-13, is hereby repealed.

READ A FIRST TIME IN COUNCIL

This _____ day of _____, 2025

READ A SECOND TIME IN COUNCIL

This _____ day of _____, 2025

READ A THIRD TIME IN COUNCIL

This _____ day of _____, 2025

SUMMER VILLAGE OF BIRCH COVE

Dean Preston
Mayor

Wendy Wildman
Chief Administrative Officer

OLD BYLAW

BYLAW NO. 115-13

SUMMER VILLAGE OF BIRCH COVE

This is a Bylaw of the Summer Village of Birch Cove, in the Province of Alberta, to authorize the addition of any Fire Extinguishing Costs to the Tax Roll.

WHEREAS, pursuant to the provisions of sections 553 (1) (g) of the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto, the Council may pass a bylaw making the owner of a parcel of land liable for the costs and expenses related to the Municipality extinguishing fires on the parcel, and permitting the Council to add the amounts of such costs to the tax roll of the parcel of land.

THEREFORE the Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows:

1. In the event that the Summer Village of Birch Cove incurs costs or expenses to any other municipality or otherwise, in extinguishing fires on a parcel of land in the Summer Village of Birch Cove, the owner of such parcel shall be liable to the Summer Village of Birch Cove for all such costs and expenses.
2. In the event that the costs and expenses referred to in Paragraph 1 are not paid within thirty (30) days of demand, such costs and expenses may be added to the Tax Roll of the parcel of land on which the fire in question occurred and recovered as permitted by law.
3. Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.
4. That Bylaw # 80 is hereby repealed.

READ A FIRST TIME IN COUNCIL THIS 13TH DAY OF SEPTEMBER 2013

READ A SECOND TIME IN COUNCIL THIS 13TH DAY OF SEPTEMBER 2013

READ A THIRD TIME IN COUNCIL
AND DULY PASSED THIS 13TH DAY OF SEPTEMBER 2013

signed this 13th day of September, 2013.

Mayor Eugene Dugan

Municipal Administrator - Dennis Evans

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SUMMER VILLAGE OF BIRCH COVE

BYLAW NO. 123-13

OPEN AIR FIRE BYLAW

WHEREAS the Municipal Government Act, provides that a Council of a Municipality may pass by-laws for the prevention or extinguishing of fires, the preservation of life and property and the protection of persons from injury or destruction by fire;

NOW THEREFORE the Council of the Summer Village of Birch Cove of the Province of Alberta, duly assembled enacts as follows:

PART 1 DEFINITIONS

1) In this Bylaw:

- a) ***“Acceptable Fire Pit”*** means an outdoor receptacle that meets the following specifications:
 - i) a minimum of 3 metres clearance, measured from the nearest fire pit edge, is maintained from buildings, property lines, or other combustible material;
 - ii) the fire pit height does not exceed .6 metres when measured from the surrounding grade to the top of the pit opening;
 - iii) the fire pit opening does not exceed 1 metre in width or in diameter when measured between the widest points or outside edges;
 - iv) it has a spark arrestor mesh screen of 8 – 16 mm expanded metal (or equivalent) to contain sparks over the fire at all times;
 - v) the fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to the Fire Chief; and,
- a) ***“Burnable Materials”*** means materials other than Prohibited Debris burned in accordance with all applicable statutes and bylaws including but not limited to materials such as:
 - i) wooden materials which do not contain paint or wood preservatives;
 - ii) straw and stubble;
 - iii) grass and weeds;
 - iv) leaves and tree prunings;
 - v) brush and trees;
 - vi) wooden material from the construction or demolition of buildings which does not contain paint or wood preservatives;
- b) ***“Summer Village”*** means the Summer Village of Birch Cove.
- c) ***“Fire Department”*** means the Fire Department as established and organized for the Village pursuant to the provisions of Bylaw 123-94. *No such Bylaw*

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OLD BYLAW

- d) "**Fire Chief**" means the Manager of the Fire Department for the Summer Village of Birch Cove who performs the duties and responsibilities of a General Manager/Fire Chief, or his delegate.
- e) "**Portable Barbecuing Appliance**" means any appliance sold or constructed for the purpose of cooking food outdoors, normally fueled by liquefied petroleum gas (LPG), natural gas, compressed briquettes or charcoal.
- f) "**Prohibited Debris**" means any inflammable waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic substances as defined in any applicable statutes and bylaws including but not limited to:
 - i) animal cadavers;
 - ii) animal manure;
 - iii) pathological waste;
 - iv) non-wooden material;
 - v) tires;
 - vi) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances;
 - vii) used oil;
 - viii) wood or wood products containing substances for the purpose of preserving wood; and,
 - ix) household refuse.

PART 2 OPEN AIR FIRES PROHIBITED

- 1) No person shall permit an open air fire or any other fire upon land owned, occupied, or under his or her control within the Village except as follows;
 - a) the cooking of food using a Portable Barbecuing Appliance;
 - b) recreational burning or the cooking of food in Acceptable Fire Pits provided:
 - i) only clean fuel is used such as natural gas, dry wood or charcoal in amounts which will be contained within the fire pit;
 - ii) the fire pit is not used to burn Prohibited Debris;
 - iii) a means, acceptable to the Fire Chief, of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs; and
 - iv) a responsible adult is present on the property when the fire is burning;
 - c) No person shall permit an open air fire or any other fire upon land owned, occupied, or under his or her control within the Village, except in a Portable Barbecuing Appliance, when a Fire Ban is in effect in the Village.

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PART 4 OFFENSES AND PENALTIES

- 1) Where a person contravenes any provision of this Bylaw, then the owner of the property on which the contravention occurred, is guilty of an offense and upon issuance of a ticket shall pay a fine of \$500.00.
- 2) Where a person causes a fire beyond their control which causes any resulting emergency, then the owner of the property on which the emergency originated, shall be liable to pay all costs of all Emergency Response Service Providers incurred, and the Village shall be able to recover from such property owner all such costs, as a debt owing to the municipality.
- 3) This Bylaw shall come into force upon receiving third reading.
- 4) This Bylaw repeals Bylaw #63 *should be 95-09*

Read a first time this 13th day of September, 2013.

Read a second time this 13th day of September, 2013.

Read a third time and duly passed this 13th day of September, 2013.

signed this 13th day of September, 2013.

Mayor Eugene Dugan

Municipal Administrator Dennis Evans

**BYLAW NO. 171-2025
SUMMER VILLAGE OF BIRCH COVE**

BEING A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE TO ESTABLISH FIRE SERVICES, TO REGULATE THE PREVENTION AND CONTROL OF FIRES, TO REGULATE FIREWORKS, AND TO AUTHORIZE THE RECOVERY OF FIRE RELATED FEES, EXPENSES, AND CHARGES

WHEREAS the *Municipal Government Act*, RSA 2000, c M-26, as amended, authorizes a council to pass Bylaws for municipal purposes respecting the following matters:

- A. The safety, health, and welfare of people and the protection of people and property;
- B. Services provided by or on behalf of the municipality; and
- C. The enforcement of Bylaws;

AND WHEREAS the *Municipal Government Act*, RSA 2000, c M-26, as amended, provides that a Council may, pursuant to a Bylaw, make the owner of a parcel of land liable for the costs and expenses incurred by the municipality in extinguishing fires, and add unpaid costs and expenses for extinguishing fires to the tax roll for that parcel of land;

AND WHEREAS the Council of the Summer Village of Birch Cove, pursuant to the powers and responsibilities granted to it pursuant to the *Municipal Government Act* and the *Forest and Prairie Protection Act*, wishes to provide for the prevention, regulation and control of the lighting of fires, and the setting off of fireworks, within the Summer Village of Birch Cove and for the preservation of life and property from damage or destruction by fire or fireworks on the terms hereinafter provided;

AND WHEREAS the Council of the Summer Village of Birch Cove wishes to establish fire services within the Summer Village of Birch Cove and for the efficient operation of such services;

NOW THEREFORE the Municipal Council of the Summer Village of Birch Cove, duly assembled, hereby **ENACTS AS FOLLOWS:**

PART 1 SHORT TITLE

1 This Bylaw may be cited as the “Fire Bylaw.”

PART 2 DEFINITIONS

2 In this Bylaw, unless the context otherwise requires:

- (a) “Acceptable Fireplace” means an outdoor receptacle that meets the following specifications:
 - (i) a minimum of one (1.00) meter clearance is maintained from any building, property line, or other combustible materials when measured from the nearest edge of the fireplace;
 - (ii) is constructed of materials such as bricks, concrete, or rocks, that are non-combustible;
 - (iii) is equipped with a chimney that is not less than 2.50 meters in height when measured from the base of the fire burning area;
 - (iv) the chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks;
 - (v) the base of the Fire burning area is not less than 0.30 meters above the surrounding grade; and
 - (vi) the fire chamber does not exceed 1.25 meters in width and is at least 0.40 meters, but not more than 0.60 meters, in depth.
- (b) “Acceptable Fire Pit” means an outdoor receptacle (fire/barbeque pit) that meets the following specifications:
 - (i) a minimum of three (3.00) meters clearance is maintained from any building, property line, or other combustible material when measured from the nearest edge of the fire pit;
 - (ii) the fire pit is placed on non-combustible materials such as rock, sand, mineral soil, gravel, or concrete and the ground surrounding it outward from its base to a distance of three (3.00) meters be comprised of clean mineral soil, rock, sand, gravel, or concrete;
 - (iii) the fire pit is constructed of bricks, concrete blocks, heavy gauge metal, or other suitable non-combustible materials components;
 - (iv) a spark arrestor mesh screen with openings no larger than six (6.00) mm that is constructed of expanded metal (or equivalent material) is used to cover the fire pit opening in a manner sufficient to contain sparks over the fire at all times;
 - (v) is supervised at all times by a responsible person until such time as the Fire has been fully extinguished. For certainty, a Fire shall be deemed to include hot ashes and smoldering embers resulting from the Fire;
 - (vi) is not located over any underground utilities or under above-ground wires;

- (vii) shall only burn wood, charcoal briquettes, propane or natural gas as fuel; and
- (viii) shall have a flame height that does not exceed 0.90 meters above the fire pit.
- (c) “Act” means the *Municipal Government Act*, R.S.A. 2000, c M-26.
- (d) “Alberta Fire Code” means the most current version of the fire safety regulations adopted by the Province of Alberta under the *Safety Codes Act*, RSA 2000, c S-1, currently being the *National Fire Code – 2019 Alberta Edition*.
- (e) “Apparatus” means any vehicle provided with machinery or Equipment for firefighting operated by or for the Fire Department, whether that vehicle operates on land, in the air, or on water.
- (f) “Approval” means an approval in writing issued by the Summer Village in consultation with the Fire Chief authorizing the setting of a specific type of Fire within the Summer Village, or authorizing the setting off of Fireworks on Summer Village property, which may include conditions.
- (g) “Burn Barrel” means a metal drum or other similar receptacle transformed and modified to dispose of combustible trash, waste, and other materials by incineration.
- (h) “Burnable Debris” has the meaning defined in the Substance Release Regulation 124/1993 under the *Environmental Protection and Enhancement Act*, RSA 2000, c E-12.
- (i) “Burning Hazard” means an actual or potential occurrence of Fire or other combustion of organic or inorganic material that could endanger human life or damage property.
- (j) “CAO” means the Chief Administrative Officer of the Summer Village, or their delegate.
- (k) “Council” means the duly elected municipal council for the Summer Village of Birch Cove.
- (l) “CSA” means Canadian Standards Association.
- (m) “Dangerous Goods” has the meaning defined in the *Dangerous Goods Transportation and Handling Act*, RSA 2000, c D-4 except that it shall not include gasoline or diesel for residential use in quantities in accordance with the National Fire Code – Alberta Edition under the *Safety Codes Act*, RSA 2000, c S-1.
- (n) “Enforcement Officer” means any of the following:
 - (i) a Bylaw Enforcement Officer appointed or employed or otherwise contracted by the Summer Village;
 - (ii) a Community Peace Officer appointed or employed or otherwise contracted by the Summer Village; or
 - (iii) a member of the Royal Canadian Mounted Police.

- (o) "Equipment" means any tools, devices, materials, or supplies used by or for the Fire Department to respond to an Incident or other emergency.
- (p) "False Alarm" means any notification, by whatever means received, to the Fire Department respecting the existence of a condition, circumstance, Fire, Burning Hazard, Fire Hazard, or other event containing an imminent, serious danger to Persons or property, where such condition, circumstance, Fire, or other event does not, in fact, exist.
- (q) "Fire" means combustion or burning, in which substances chemically combine with oxygen from the air and typically give out bright light, heat, and Smoke.
- (r) "Fire Advisory" and "Fire Restriction" mean notices issued pursuant to this Bylaw for the purposes of Fire prevention where the Fire danger risk has increased, and where the Summer Village prohibits the use of Fireworks and may place additional restrictions and/or certain prohibitions on Fires or other activities.
- (s) "Fire Ban" means any Fire ban, whether municipally or provincially declared, that prohibits Fires in all, or part, of the Summer Village.
- (t) "Fire Chief" means the Person designated by the Summer Village as the Fire Chief, or their delegate.
- (u) "Fire Department" means the entity established by Section 3 of this Bylaw, whether by contracting Fire Services from another municipality or other service provider and includes any Member of such Fire Department.
- (v) "Fire Department Property" means all real and personal property owned or controlled by the Fire Department and designated for use by the Fire Department including, but not limited to, Apparatus and Equipment.
- (w) "Fire Hazard" means combustible material that, through its nature, location, or condition, or arrangement, or any combination of those factors, may be ignited and, if ignited, could create a Burning Hazard.
- (x) "Fire Services" means any and all of the services listed in Section 3 of this Bylaw and includes any other service delivered by or for the Fire Department that is authorized by Council.
- (y) "Fire Service Charges" means:
 - (i) all rates, fees, costs, and charges payable for, or in connection with, the provision of Fire Services which are incurred by the Summer Village including, without limitation, responding to False Alarms;
 - (ii) the Summer Village's actual costs for any extraordinary services required or incurred which are beyond normal Fire Services operations such as, without limitation, HAZMAT, additional Equipment, mutual aid from a reciprocating municipality, supplies, vac truck, and site or scene security; and

- (iii) an administrative fee of five percent (5.00%) calculated on the total of (i) and (ii) above.
- (z) “Fireworks” means the pyrotechnics classified as fireworks pursuant to the *Explosives Act*, RSC 1985, c E-17, and its regulations, including consumer fireworks, display fireworks, and special effect pyrotechnics.
- (aa) “Incident” means a Fire, Burning Hazard, Fire Hazard, or medical situation where a Fire or explosion is imminent, or any other situation presenting danger or possible danger to life, property, or the environment, and to which the Fire Department has responded or may respond
- (bb) “Incinerator” means an apparatus for burning waste material until it is reduced to ash.
- (cc) “Member” means any Person who is duly appointed a member of the Fire Department and includes the Fire Chief, Deputy Fire Chief, and firefighters that are full-time, casual, or on-call, or paid or volunteer.
- (dd) “Municipal Tag” means a ticket alleging an offence issued pursuant to a Bylaw of the Summer Village and providing a Person with the opportunity to pay a fine amount to the Summer Village in lieu of prosecution for the offence.
- (ee) “Obnoxious Odour” means an extremely unpleasant smell which may or may not expose a Person to the harmful chemicals in the products of incomplete combustion.
- (ff) “Occupant” means any person other than the registered owner who is in possession of Property including, but not limited to, a lessee, licensee, tenant, or agent of the Owner.
- (gg) “Off-Highway Vehicle” has the meaning defined in the *Traffic Safety Act*, RSA 2000, C T-6.
- (hh) “Open Fire” includes grass fires, forest and brush fires, running fires, structure fires, building fires, wood scrap fires, ground thawing fires, and chattel fires;
- (ii) “Outdoor Fire” means any fire outside of an Acceptable Fireplace, or Acceptable Fire Pit, and includes, but is not limited to, the following:
 - (i) Fires involving humus, wood, soil, farm produce, bush, grass, feed, straw, or coal;
 - (ii) any Fire that has escaped or spread from a building, structure, machine, or vehicle;
 - (iii) a Burn Barrel Fire;
 - (iv) Fires in outdoor ovens, carbon ovens, or home-built wood burners;
 - (v) Fires in Chimeneas;
 - (vi) Tiki torches; or
 - (vii) Random (back-country-style) Fires.
- (jj) “Owner” includes:

- (i) the Person listed on title as the registered owner of Property at the Land Titles Office;
 - (ii) the Person recorded as the owner of the Property on the municipal assessment roll;
 - (iii) a Person who has purchased or otherwise acquired the Property and has not become the registered owner thereof;
 - (iv) a Person controlling the Property under construction; and
 - (v) an Occupant.
- (kk) "Peace Officer" means a person appointed as a Peace Officer under the *Peace Officer Act*, S.A. 2006, c P-4, as amended.
- (ll) "Person" includes any individual, firm, partnership, association, corporation, society, or other legal entity.
- (mm) "Portable Appliance" means any appliance sold or constructed for the purpose of cooking food or for the provision of heat in the out-of-doors which does not create sparks and that has been subjected to CSA approval.
- (nn) "Prohibited Debris" has the meaning defined in the Substance Release Regulation 124/1993 under the *Environmental Protection and Enhancement Act*, RSA 2000, c E-12.
- (oo) "Property" means any real or personal property.
- (pp) "Recreational Fire" means a fire which is lit for the purposes of cooking, obtaining warmth, or viewing and pleasure and is fueled solely by dry wood, charcoal, natural gas, or propane.
- (qq) "Running Fire" means a fire burning without being under the control of any Person.
- (rr) "Smoke" means the suspension of airborne particulates and gases emitted when a material undergoes combustion or pyrolysis together with the quantity of air that is entrained or otherwise mixed into the mass.
- (ss) "Structure Fire" means a fire confined to and within a building, structure, machine, or vehicle which will, or is likely to, cause the destruction of the building, structure, machine or vehicle.
- (tt) "Summer Village" means the Summer Village of Birch Cove.
- (uu) "Summer Village Property" means any property owned by, or under the control of, the Summer Village including, but not limited to, parks and roads.
- (vv) "Violation Ticket" has the same meaning as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.

PART 3 ESTABLISHMENT AND PURPOSE OF THE FIRE DEPARTMENT

3 The Fire Department is established for the purposes of:

- (a) Preserving life, property, and the environment, and protecting Persons and property from injury or destruction by Fire in, without limitation, Structural Fire, Open Fire, Outdoor Fire, industrial, vehicle, and wildland Fire situations with Fire Services that include, but are not limited to, the following, all in accordance with the policies and procedures of the Summer Village and all applicable legislation:
 - (i) responding to Incidents;
 - (ii) preventing and extinguishing Fires;
 - (iii) providing motor vehicle extrication within the scope of the Equipment and Member training capability;
 - (iv) providing, or supporting, medical response;
 - (v) providing rescue services within the scope of the Equipment and Member training capability;
 - (vi) carrying out preventative patrols, conducting pre-fire planning, and assisting with fire inspections and investigations;
 - (vii) assisting with emergency management;
 - (viii) administering or assisting with Approvals;
 - (ix) fulfilling the requirements of any mutual aid agreements with other municipalities; and
 - (x) otherwise providing emergency services as required to promote community safety.

PART 4 AUTHORITY OF THE FIRE CHIEF AND FIRE DEPARTMENT

4 The Fire Chief and Fire Department authorities are hereby established.

The Fire Chief and the Fire Department are responsible for the development of rules, regulations, and policies for the ongoing organization and administration of Fire Services.

5 The Fire Chief and the Fire Department are empowered to:

- (a) cause a building, structure, or thing to be pulled down, demolished, or otherwise removed if they deem it necessary to prevent the spread of Fire to other buildings, structures, or things; and
- (b) cause the Fire Department to enter on any land or premises, including adjacent lands or premises, to combat, control or otherwise deal with a Fire or Incident in whatever manner the Fire Chief and Fire Department deem necessary.

6 The Fire Chief and Fire Department may obtain assistance from other Summer Village officials for the purpose of assisting with fire investigations, to facilitate inspections, or as otherwise required to fulfill their duties and responsibilities under this Bylaw.

PART 5 PERMITTED AND PROHIBITED FIRES

7 No Person shall light, permit to be lit, or cause, any Fire upon land of which they are the Owner, occupier, or which is under their control, unless the Person has obtained an Approval pursuant to this Bylaw or the Fire is otherwise exempt from the requirement for such an Approval under this Bylaw.

8 No Person shall burn or cause to be burned any Prohibited Debris.

9 No Person shall use coal, straw, or used oil as a heat source for a residence within the Summer Village.

10 No Person shall use coal, straw, or other combustible material, for ground thawing or other temporary heating conditions.

11 No Person shall use a Burn Barrel, or any other form of Incinerator, for incineration within the Summer Village.

12 No Person shall allow a Fire to create dense Smoke or an Obnoxious Odour that creates a risk to public safety or a nuisance.

13 No Person shall allow a Fire, whether or not an Approval was obtained for the Fire, or the Fire did not require an Approval under this Bylaw, to become a Running Fire.

14 No Person shall light a Fire, whether or not an Approval was obtained for the Fire, or the Fire does not require an Approval under this Bylaw, without taking sufficient precautions to ensure that the Fire is kept under control at all times.

15 No Person shall deposit, discard, or leave any burning matter or substance where it might create a Fire Hazard.

16 An Approval is not required for:

- (a) a Recreational Fire within an Acceptable Recreational Fire Pit or Acceptable Fireplace that is used for cooking, warmth or personal enjoyment, that is located on a residential parcel only;
- (b) the use of a Canadian Standards Association (CSA) certified barbeque or Portable Appliance, that is located on a residential parcel only;
- (c) any fire table, pit, or other heating device which uses propane or natural gas, that is located on a residential parcel only; or

provided that:

- (d) a means, acceptable to the Fire Chief, of controlling or extinguishing the Fire is available on the property and within a reasonable distance from where the Fire occurs;

- (e) the Fire is kept under control and is always supervised by a responsible adult Person until such time as the Fire has been completely extinguished;
- (f) flame height does not exceed one (1.00) meter above the structure or container; and
- (g) the Fire is not used to burn Prohibited Debris.

17 This Bylaw does not apply to a Fire lit by the Fire Department for training or preventative control purposes.

PART 6 FALSE ALARMS

18 If in any 12-month period, the Fire Department is requested to respond to the same property more than one time for a False Alarm, the process will be as follows:

- (a) first response – education on False Alarms; and
- (b) second and subsequence responses – recovery of Fire Services Charges in accordance with this Bylaw.

PART 7 APPROVALS

19 An application for an Approval shall be submitted to the CAO in writing and there is no specific form required for such application.

20 No Person shall provide false or misleading information on an application for an Approval.

21 The Summer Village may, in their discretion, either refuse to issue an Approval or issue an Approval with or without conditions.

22 An Approval is valid only for the time expressly indicated in the Approval

23 The Fire Chief or the CAO may, in their discretion, terminate, cancel, or suspend an Approval at any time.

24 Upon receipt of notice of termination, suspension, or cancellation, of an Approval for a Fire, the holder of the Approval shall immediately extinguish any Fire set pursuant to the Approval.

25 Upon receipt of notice of termination, suspension, or cancellation, of an Approval for the setting off of Fireworks on Summer Village Property, the holder of the Approval shall immediately cease the discharge, firing, or setting off of Fireworks.

26 An Approval is not transferable.

27 Any Person to whom an Approval has been issued, and any Person involved in the lighting, supervision, or maintenance of a Fire set pursuant to an Approval, shall comply with all the terms and conditions of the Approval.

28 Any Person to whom an Approval has been issued for the setting off of Fireworks on Summer Village Property, and any Person involved in the discharging, firing, or setting off of Fireworks on Summer Village Property, shall comply with all the terms and conditions of the Approval.

29 Every Person who sets a Fire pursuant to an Approval shall:

- (a) produce and show the Approval to the Fire Chief, Member, or an Enforcement Officer upon request;
- (b) keep the Fire at the site of the Fire approved in the Approval; and
- (c) be responsible for any costs incurred by the Fire Department when called upon to extinguish such Fire if, in the opinion of the Fire Chief, the Fire is a hazard to Persons or property, or if the Fire is in contravention of the conditions attached to the Approval.

PART 8 FIRE ADVISORIES, FIRE RESTRICTIONS, AND FIRE BANS

30 When the CAO determines that the prevailing environmental conditions may give rise to an increased risk of Fire, or increased risk of a Fire running out of control, the CAO may, from time to time:

- (a) limit Fires and prohibit the use of Fireworks within the Summer Village through a Fire Advisory or Fire Restriction; or
- (b) prohibit all Fires and prohibit the use of Fireworks within the Summer Village under a complete Fire Ban.

31 A Fire Advisory, Fire Restriction, or municipally issued Fire Ban may be amended by the CAO or Council.

Fire Advisories

32 When a Fire Advisory is in place, no new Approvals will be issued, and existing Approvals may be suspended or cancelled.

33 When a Fire Advisory is in place:

- (a) No Person shall discharge, fire or set off Fireworks;
- (b) No Person shall light, permit to be lit, or cause, a Fire on Property that they are the Owner or occupier of except for:
 - (i) a Recreational Fire contained entirely within an Acceptable Fire Pit, Acceptable Fireplace, or Portable Appliance;
 - (ii) a Fire lit pursuant to an Approval which has not been suspended or cancelled.

Fire Restrictions

34 When a Fire Restriction is in place, Approvals will not be issued, and all Approvals are cancelled.

35 When a Fire Restriction is in place:

- (a) No Person shall discharge, fire or set off Fireworks;
- (b) No Person shall light, permit to be lit, or cause, a Fire on Property that they are the Owner or occupier of except for
 - (i) A Recreational Fire contained entirely within an Acceptable Fire Pit, or Acceptable Fireplace, or Portable Appliance; or
 - (ii) A Portable Appliance.

Fire Bans

36 A Fire Ban imposed pursuant to this Bylaw shall remain in force until either the date and time provided in the notice of Fire Ban, as amended if applicable, or until such time as the CAO or Council provides notice to the public that the Fire Ban is no longer in effect.

37 When a Fire Ban is in place, Approvals will not be issued, and all Approvals are cancelled.

38 When a Fire Ban is in place:

- (a) No Person shall operate an All Terrain Vehicle or Off-Highway Vehicle within the Summer Village with the exception of travelling on gravel or paved roads only, no off-roading permitted;
- (b) No Person shall discharge, fire or set off Fireworks.
- (c) No Person shall light, permit to be lit, or cause, a Fire on Property that they are the Owner or occupier of, regardless of whether the Person is the holder of an Approval, and any such Person shall immediately extinguish any Fire that has been lit once the Person knows, or ought reasonable to have known, of the Fire Ban; and
- (d) A Person may, subject to the requirements of this Bylaw and unless the Fire Ban provides otherwise, use a Portable Appliance for cooking or heating purposes that burns propane or natural gas.

PART 9 FIREWORKS

39 All Fireworks sold, stored, handled or discharged in the Summer Village must comply with the *Explosives Act*, Natural Resources Canada Explosives Regulations, National Fire Code and National Building Codes, Alberta Editions, all other applicable federal, provincial, and municipal legislation, regulations, and Bylaws, and be used in accordance with the manufacturer's recommendations and instructions.

40 No Person shall set off Fireworks on Summer Village Property without an Approval. An Approval is not required to set off consumer Fireworks on private Property.

41 Every Person who sets off Fireworks pursuant to an Approval for the setting off of Fireworks on Summer Village Property shall:

- (a) produce and show the Approval to the Fire Chief, Member, or an Enforcement Officer upon request;

- (b) only discharge, fire, or set off the Fireworks at the site approved in the Approval; and
- (c) be responsible for any costs incurred by the Fire Department when called upon to extinguish a Fire created by the use of the Fireworks.

PART 10 DANGEROUS GOODS

42 The Owner of any property or conveyance containing Dangerous Goods which sustains an accidental or unplanned release of Dangerous Goods within the Summer Village must immediately report the incident to the Fire Department.

43 Dangerous Goods shall not be transported through the Summer Village without proper identification and strict adherence to all Federal, Provincial, and municipal regulations and standards.

44 Dangerous Goods shall not be stored, transported, used, or released in residential areas of the Summer Village.

45 Flammable liquids and combustible liquids for residential use which are stored in quantities in accordance with the *Safety Codes Act*, RSA c S-1, as amended, shall not be classified as Dangerous Goods for the purposes of this Bylaw.

PART 11 REPORTING

46 The Owner of any property damaged by Fire shall immediately report to the Fire Department the particulars of the Fire in a manner and detail satisfactory to the Fire Chief.

47 Where a Fire is lit or ignited without an Approval, unless the Fire is a Fire which does not require an Approval, the Person having control of such Fire shall:

- (a) extinguish the Fire immediately; or
- (b) where they are unable to extinguish the Fire immediately, report the Fire by calling 9-1-1.

PART 12 FIRE SERVICES CHARGES

48 Upon the Fire Department, or a reciprocating municipality under a mutual aid agreement, providing a response to a parcel of land, building, or residence, the Summer Village may, in its discretion, recover Fire Services Charges associated with the response to any or all of the following Persons:

- (a) the Person or Persons who requested the response;
- (b) the Person or Persons causing or contributing to a Fire or Incident;
- (c) the occupant of the parcel of land or residence on which the response was provided;
- (d) the Owner of the parcel of land or residence on which the response was provided;

- (e) the Person or Persons with control over the parcel of land or residence on which the response was provided, which may include, without limitation, a property manager; or
- (f) the Person in possession or control of the property that is the subject of the Fire or Incident if the Fire or Incident did not occur on private property.

49 All Persons charged for Fire Services Charges are jointly and severally liable to the Summer Village for payment of such Fire Services Charges.

50 Fire Services Charges shall be paid within thirty (30) days of receipt of an invoice.

51 Collection of unpaid Fire Services Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Summer Village is entitled to on the parcel of land in respect of which the indebtedness is incurred.

52 Without limiting the generality of section 51, the Owner of a parcel of land within the Summer Village to which Fire Services are provided is liable for Fire Services Charges incurred and the Summer Village may add to the tax roll of the parcel of land all unpaid Fire Services Charges, which shall form a special lien against the parcel of Land in favour of the Summer Village from the date that the amount was added to the tax roll in accordance with the Act.

53 A Person who has damaged or destroyed any Apparatus, Equipment or Fire Department Property shall, in addition to any penalty imposed in this Bylaw, be liable for and pay upon demand, all costs incurred by the Summer Village or the Fire Department, as applicable to repair or replace the Apparatus, Equipment, or Fire Department Property in question.

PART 13 INSPECTIONS AND ENFORCEMENT

54 Where a parcel of land, property, residence, business, commercial property, or any other property does not comply with this Bylaw, or a Person contravenes this Bylaw, the Summer Village may pursue its enforcement alternatives in accordance with this Bylaw, any enactment or common law right, including issuing an order to remedy contraventions or dangers, remedying contraventions or dangers by the Summer Village, adding amounts to tax rolls, and pursuing injunctions under the Act.

55 No Person shall interfere with or obstruct an Enforcement Officer, the Fire Chief, or the Fire Department in the exercise of their powers and duties under this Bylaw.

56 No Person shall provide false or misleading information to any Enforcement Officer, the Fire Chief, or the Fire Department

57 No Person shall falsely represent themselves to be a Member of the Fire Department, or wear or display any uniform, badge, cap, button, insignia, or other paraphernalia for the purposes of such false representation.

58 No Person shall damage or destroy any Fire Department property.

PART 14 CORPORATIONS AND PARTNERSHIPS

59 Where 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 of omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

60 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.

PART 15 VICARIOUS LIABILITY

61 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 in the course of the employee's employment with the Person, or in the course of the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

PART 16 OFFENCES AND PENALTIES

62 A Person who contravenes this Bylaw by:

- (a) doing any act or thing which the Person is prohibited from doing; or
- (b) failing to do any act or thing the Person is required to do,

is guilty of an offence.

63 Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction, to a fine not exceeding ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed to a period of imprisonment not exceeding six (6) months, or both.

64 Where there is a specified penalty listed for the offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.

65 Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.

66 Where an Enforcement Officer believes that a Person has contravened any provision of this Bylaw, the Enforcement Officer may commence proceedings against the Person by issuing a Municipal Tag or a Violation Ticket.

67 If a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify the fine amount established for the offence.

68 A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount specified for the offence and, if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

69 If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then an Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket.

70 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- (a) specify the fine amount established in this Bylaw for the offence; or
- (b) require a Person to appear in court without the alternative of making a voluntary payment.

71 A Person who commits an offence may, if a Violation Ticket is issued in respect of the offence and the Violation Ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine.

72 The levying and payment of any fine or the imprisonment of any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs for which that Person is liable under the provisions of this Bylaw or any other Bylaw.

73 The Summer Village may exercise discretion in the application of this Bylaw and its contents as defined in section 529 of the Act.

74 An Enforcement Officer may use discretion, mediation, or provide education and increased awareness as an alternative to issuing Municipal Tags or Violation Tickets.

PART 17 INTERPRETATION

75 In this Bylaw, a citation or reference to any act or regulation of the Province of Alberta or of Canada, or of any other Bylaw of the Summer Village is a citation of or reference to that act, regulation, or Bylaw, as amended, whether amended before or after the commencement of the act, regulation, or Bylaw in which the citation or reference occurs.

76 Nothing in this Bylaw relieves a Person from complying with any provision of any provincial or federal legislation or regulation, other Summer Village Bylaw, or any requirement of any lawful permit, order, or license.

77 Schedule "A" forms part of this Bylaw.

PART 18 SEVERABILITY

78 Should any provision of this Bylaw be invalid, then such provision shall be severed, and the remainder of the Bylaw shall remain in force.

PART 19 TRANSITION AND COMING INTO FORCE

79 This Bylaw takes effect on the final passing thereof and, on such final passing, Bylaw 115-13 and 123-13 are hereby repealed.

READ A FIRST TIME THIS DAY OF , 2025

READ A SECOND TIME THIS DAY OF , 2025

UNANIMOUS CONSENT to proceeding to third reading this DAY OF , 2025

READ A THIRD TIME THIS DAY OF , 2025

Summer Village of Birch Cove

Dean Preston
Mayor

Wendy Wildman
Chief Administrative Officer

SCHEDULE "A"**Specified Penalties**

A Person who is found guilty of an offence under this Bylaw where no penalty has been specifically provided is liable to a fine of not less than \$250.00 and not exceeding \$10,000.00.

Bylaw Section	Offence	First Offence	Second Offence	Third and Subsequent Offence
7	Light, permit to be lit, or cause a Fire without an Approval	\$250.00	\$500.00	\$500.00
8	Burn or cause to be burned any Prohibited Debris	\$250.00	\$500.00	\$500.00
9	Use coal, straw, or used oil as a heat source in a residence	\$250.00	\$500.00	\$500.00
10	Use coal, straw, or other materials for ground thawing or temporary heating	\$250.00	\$500.00	\$500.00
11	Use a Burn Barrel or incinerator	\$250.00	\$500.00	\$500.00
12	Allow a Fire to create dense smoke or Obnoxious Odor	\$250.00	\$500.00	\$500.00
13	Allow a Fire to become a Running Fire	\$1,000.00	\$2,000.00	\$3,000.00
14	Failure to take precautions to keep Fire under control	\$250.00	\$500.00	\$500.00
15	Deposit or discard burning matter where it may cause Fire	\$250.00	\$500.00	\$500.00
20	Provide false or misleading information on an application for an Approval	\$250.00	\$500.00	\$500.00
28, 29	Fail to comply with the terms of an Approval	\$250.00	\$500.00	\$500.00
29(a)	Fail to produce an Approval on request	\$250.00	\$500.00	\$500.00
29(b)	Fail to keep the Fire at the site of the Fire approved in an Approval	\$500.00	\$1,000.00	\$2,000.00

NEW BYLAW

Bylaw Section	Offence	First Offence	Second Offence	Third and Subsequent Offence
33(a)	Discharge, fire, or set-off Fireworks when a Fire Advisory is in place	\$500.00	\$1,000.00	\$2,000.00
33(b)	Light, permit to be lit, or cause to be lit a Fire when a Fire Advisory is in Place	\$500.00	\$1,000.00	\$2,000.00
35(a)	Discharge, fire, or set-off Fireworks when a Fire Restriction is in place	\$500.00	\$1,000.00	\$2,000.00
35(b)	Light, permit to be lit, or cause a Fire when a Fire Restriction is in place	\$1,000.00	\$2,000.00	\$5,000.00
38(a)	Operate an Off-Highway Vehicle or All Terrain Vehicle when a Fire Ban is in place, except on gravel and paved roads only	\$1,000.00	\$2,000.00	\$5,000.00
38(b)	Discharge, fire, or set-off Fireworks when a Fire Ban is in place	\$500.00	\$1,000.00	\$2,000.00
38(c)	Light, permit to be lit, or cause a Fire when a Fire Ban is in place	\$1,000.00	\$2,000.00	\$5,000.00
39	Discharge, fire or set-off Fireworks on Summer Village property without an Approval where an Approval is required	\$250.00	\$500.00	\$500.00
41(a)	Failure to produce an Approval for Fireworks on Summer Village property	\$250.00	\$500.00	\$500.00
41(b)	Discharge, fire, or set off Fireworks at a location not approved in an Approval	\$250.00	\$500.00	\$500.00
42	Failure to report release of Dangerous Goods	\$250.00	\$500.00	\$500.00
43	Transport Dangerous Goods without proper identification and adherence to applicable	\$500.00	\$1,000.00	\$2,000.00

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Bylaw Section	Offence	First Offence	Second Offence	Third and Subsequent Offence
	regulations			
44	Store, transport, use, or release Dangerous Goods in residential areas	\$500.00	\$1,000.00	\$2,000.00
46	Failure to report property damaged by Fire	\$250.00	\$500.00	\$500.00
47(a)	Failure to extinguish a Fire ignited without an Approval where an Approval was required	\$250.00	\$500.00	\$500.00
47(b)	Failure to call 911 when unable to extinguish a Fire	\$1,000.00	\$2,000.00	\$5,000.00
55	Interfere or obstruct an Enforcement Officer, Fire Chief, or Fire Department	\$1,000.00	\$2,000.00	\$5,000.00
56	Provide false or misleading information to an Enforcement Officer, the Fire Chief, or the Fire Department	\$1,000.00	\$2,000.00	\$5,000.00
57	Falsely represent themselves as a Member of the Fire Department	\$1,000.00	\$2,000.00	\$5,000.00
58	Damage or destroy Fire Department property	\$1,000.00	\$2,000.00	\$5,000.00



Catalis ERP Cloud

Enterprise Resource Planning Solution

Cloud-Based Municipal Tax and Finance System

An ERP Cloud Solution Powered by 45+ Years of Expertise

ERP Cloud

Over the past year and a half, Catalis has invested the funding, time, and expertise into reimagining our long-established tax and finance software, giving way to a robust municipal ERP Cloud solution. Catalis ERP Cloud is the:

- Same product you've learned to love, taken to the Cloud with a fresh look and enhanced features and functionality
- Same support team you've learned to love, still here for your ERP On-Premises and Cloud needs
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Name
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Address

Address 1
Address 2
Address 3

Country
Canada

Province
Alberta

City
calgary

Postal Code
T7H 6Y7

Phone Number
780 170 4020

Fax Number
(780) 777-1232

Email
anywhere@catalispor.com

Bank AP Cheque Number
19188

Bank PR Cheque Number
1779

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STE ANNE SUMMER VILLAGES REGIONAL EMERGENCY MANAGEMENT PARTNERSHIP

2026 BUDGET (PROPOSED AS AT 2025-09-27)

Subject to RDEM/RDDEM Contract Renewal

REVENUE

based on 10 Partners

Member Contributions

Alberta Beach	\$4,000.00	
Birch Cove	\$4,000.00	
Nakamun Park	\$4,000.00	
Ross Haven	\$4,000.00	
Sandy Beach	\$4,000.00	
Silver Sands	\$4,000.00	
South View	\$4,000.00	
Sunrise Beach	\$4,000.00	
Val Quentin	\$4,000.00	
West Cove	\$4,000.00	\$40,000.00

EXPENDITURES:

Regional DEM		-\$18,000.00
Regional Deputy DEM		-\$16,000.00
Administration/Treasury		-\$2,000.00
Committee Honorarium	Meetings for Chair role and Sub-Committee's outside of regular meetings for all members (13 @\$75.00/meeting)	-\$1,000.00

MATERIALS

Training		-\$1,000.00
Exercise	Small-Local Partnership (Spring)	-\$750.00
Other		-\$1,000.00
Mileage	(@CRA rate of .72)	-\$1,000.00
Subscriptions	Office Suite/Norton	-\$250.00
Office Supplies/copies	Paper, toner, photocopy services	\$1,000.00
		-\$40,000.00

(111)

STATE OF LOCAL EMERGENCY (SOLE) based on BEM Training Manual

as at May 1 2020

WHAT IS A SOLE:

A State Of Local Emergency or "SOLE" is a declaration made under the Emergency Management Act (2018) by a local authority that grants special powers to the local authority in order to adequately address the emergency. According to Section 21 of the Emergency Management Act (2018), a local authority can declare a State Of Local Emergency at any time when there is or may be an emergency in the community, provided that the local authority believes that a significant emergency exists that poses a serious threat to people or property within the community.

REASONS TO DECLARE A SOLE: (NOTE: local authority will provide compensation for any property that it uses, takes or demolishes)

YES NO

1. Does a serious emergency exist that requires unusual power or resources from the local authority in order to address the emergency that is sufficiently large enough to constitute a disaster
2. Does Municipality need to acquire or use personal property
3. Does Municipality need to Control or Prohibit travel to - from - within community
4. Does Municipality need to Evacuate People, livestock or personal property
5. Does Municipality need to Enter any building or Land without a warrant
6. Does Municipality need to Demolish or remove trees, crops or structures
7. Does Municipality need to ensure Fixed Pricing
8. Does Municipality need to Conscript people to work/assist (if they do not do so willingly)

A SOLE IS NOT REQUIRED FOR THE FOLLOWING PURPOSES:

1. SOLE is not required to activate your Incident Command Centre (ICP)
2. SOLE is not required for a local authority or citizen to be eligible for financial assistance through a Disaster Recovery Program (DRP)

HOW LONG IS A SOLE EFFECTIVE FOR:

1. Until lifted/removed by local authority OR maximum of seven (7) days
3. Pandemic SOLE is in effect for 28 days

WHO HAS AUTHORITY TO DECLARE SOLE:

1. Mayor or in their absence any 2 members of Council (Should consult with their Local DEM)
2. Any two (2) members of the AEMA Advisory Board Council/Committee (Summer Villages Group) (Should consult with R-DEM)

HOW TO DECLARE:

1. Usually recommended by Director of Emergency Management, Emergency Advisory Committee or other Emergency Management personnel who believe that a serious emergency exists that requires unusual power or resources from community
2. Complete Declaration of State Of Local Emergency form - present to authorized individuals to review, sign
3. Submit Declaration to AEMA (Fax: 780-422-1549 or 780-427-1044)
4. Forward copy of Declaration to applicable Field Officers (John Swist/Mark Pickford)
5. Send out Alberta Alert to notify citizens of SOLE Declaration
6. To Remove Declaration - complete applicable form and submit to AEMA (Fax: 780-422-1549 or 780-427-1044) and AEMA Field Officers

NOTE: Declaration will expire in seven (7) days if not lifted

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- Alberta Beach • Birch Cove • Nakanun Park
- Ross Haven • Sandy Beach • Silver Sands
- South View • Sunrise Beach
- Val Quentin • West Cove

SVREMP ADVISORY COMMITTEE ANNUAL MEETING
Saturday, September 27, 2025
3:00 PM - 3:30 PM

1. Call to Order: Chair - Ren Giesbrecht

2. Attendance, September 27, 2025 Meeting

a) Organizational Meeting

i) Executive Appointments

1) Nominations for SVREMP Chairperson

Janice Christiansen declared nominations open and called for nominations for Chairperson

Bernie Poulin nominated Dieter Brandt

Dieter Brandt accepted the nomination

Janice did 2nd call for nominations

Janice did 3rd call for nominations

Janice declared nominations cease.

Dieter Brandt was declared the SVREMP Chairperson for 2025/2026 by acclamation.

ii) Dieter Brandt assumed the chair and declared nominations open for Vice Chairperson

Bernie Poulin nominated Sandi Benford

Sandi Benford accepted the nomination

Dieter did 2nd call for nominations

Dieter did 3rd call for nominations

Dieter declared nominations cease - Sandi Benford was declared the SVREMP Vice Chairperson for 2025/2026 by acclamation.

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iii) **Administration Services**

1) **Appointment of Financial Services and Administration**

Ren Giesbrecht moved that Janice Christiansen remain in the role as Financial Services and Marlene Walsh continue as Administration until December 2026. **CARRIED**

- 2) **Financial** Tara Elwood moved the GIC due October 28, 2025 be rolled over to the SVREMP Savings Account. Janice Christiansen, along with Chair Dieter Brandt and Vice Chair Sandi Benford will determine an appropriate investment for ratification. These ratified rates will be presented to the Advisory Council for approval. **CARRIED**

3) **Signing Authority**

Janice Christiansen will arrange for Dieter Brandt as the 3rd signing authority - Sandi Benford and Ren Giesbrecht will maintain their signing authority. Cheques will be prepared by Janice Christiansen and will require two signatures.

- iv) **RDEM Selection Committee** - Dieter Brandt, Sandi Benford, Janice Christiansen, and Marlene Walsh will manage the interview process for the RDEM position that will be available on January 1, 2026. Final recommendation for selection of the successful candidate will be shared for confirmation at the upcoming Advisory Committee Meeting.

3. **Regular Business**

b) **Budget**

Bernie Poulin moved SVREMP members be reimbursed for km claims in accordance with the CRA per KM rate and that the annual requisition fee for municipalities participating in the partnership be increased from \$3,900 annually to \$4,000.00 annually per municipality. The budget will be sent to CAO and Advisory Committee members for review and approval of the requisition at upcoming Council Meetings. **CARRIED**

4. **NEXT MEETING** - at the call of the Advisory Committee Chairperson

ADJOURNMENT

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Summer Village Contacts - (Sept. 10, 2025)

Municipality:	Name:	Office:	E-Mail:	Other/Notes:
Birch Cove	Steven Tymafichuk Dory Sample Dean Preston Wendy Wildman	Mayor Deputy Mayor Councillor CAO	cao@birchcove.ca cao@birchcove.ca cao@birchcove.ca cao@birchcove.ca	
Castle Island	Calvin Smith Jeff Elkow Gary Guy Wendy Wildman	Mayor Deputy Mayor Councillor CAO	svcastle.smith@gmail.com jeff@elkow.ca ggltr@yahoo.ca svcastle@telus.net	
Nakamun Park	Keith Pederson Bob Charter Ray Gertz Wendy Wildman	Mayor Deputy Mayor Councillor CAO	keith.pederson@svnakamun.com bob.Charter@svnakamun.com ray.Gertz@svnakamun.com cao@svnakamun.com	
Ross Haven	Ray Hutscal Dieter Brandt Bruce Stonehouse Tony Sonnleitner	Mayor Deputy Mayor Councillor CAO	ray.hutscal@rosshaven.ca dieter.brandt@rosshaven.ca bruce.stonehouse@rosshaven.ca cao@rosshaven.ca	
Sandy Beach	David Noyes Deborah Mayer Nicolas Pelechytik Louise Kormos	Mayor Deputy Mayor Councillor CAO	svsandyb@xplornet.ca svsandyb@xplornet.ca svsandyb@xplornet.ca svsandyb@xplornet.ca	
Silver Sands:	Bernie Poulin Graeme Horne Sherry Strong Wendy Wildman	Mayor Deputy Mayor Councillor CAO	bernie@summervillageofsilversands.com graeme@summervillageofsilversands.com sherry@summervillageofsilversands.com administration@wildwillowenterprises.com	
South View	Sandi Benford Garth Ward Colleen Richardson Angela Duncan	Mayor Deputy Mayor Councillor CAO	sandi@summervillageofsouthview.com garth@summervillageofsouthview.com colleen@summervillageofsouthview.com svsouthview@outlook.com	
Sunrise Beach	Brian Benning John Fowler Mike Benson Emily House	Mayor Deputy Mayor Councillor CAO	mayor@svsunrisebeach.ca deputymayor@svsunrisebeach.ca councillor@svsunrisebeach.ca administration@svsunrisebeach.ca	
Sunset Point	Lee Landsperg Rod Janz Gwen Jones Mike Primeau	Mayor Deputy Mayor Councillor CAO	lee.landsperg@sunsetpoint.ca rodney.janz@sunsetpoint.ca gwen.jones@sunsetpoint.ca office@sunsetpoint.ca	
Val Quentin	Kathy Dion Barrie Ronaldson Kent Galusha Marlene Walsh	Mayor Deputy Mayor Councillor CAO	k.dion@valquentin.ca barrie.ronaldson@valquentin.ca kent.galusha@valquentin.ca cao@valquentin.ca	
West Cove	Chris Kelly Ren Giesbrecht Wendy Henderson Wendy Wildman	Mayor Deputy Mayor Councillor CAO	chris.kelly@westcove.ca ren.giesbrecht@westcove.ca wendy.henderson@westcove.ca svwestcove@outlook.com	
Yellowstone	Jeff Stolte Terry Morgans Michael Clark Robin Murray	Mayor Deputy Mayor Councillor CAO	mayor@svyellowstone.ca deputy.mayor@svyellowstone.ca councillor@svyellowstone.ca office@svyellowstone.ca	

2025-2026 SVLSACE Executive and Committee Reps			
Executive (Four Year Terms)			
Chair	Gwen Jones (SSP)	gwen.jones@sunsetpoint.ca	
Vice Chair	Kathy Dion (VQ)	k.dion@valquentin.ca	
Committee Reps (Annual Appointments)			
	Representatives		Alternates
East End Bus	Ren Giesbrecht (WC)		Debbie Mayer (SB, alt.)
Highway 43 Waste	Dieter Brandt (RH)	Bernie Poulin (SS)	Gwen Jones (SSP, alt)
LSA Seniors Foundation	Gwen Jones (SSP)	Keith Pederson (NP)	<i>none authorized</i>
WILD Water Commission	Gwen Jones (SSP)	Ren Giesbrecht (WC)	Debbie Mayer (SB, alt.)
Lake Quality Committees	Bernie Poulin (SS)		Dave Noyes (SB, alt.)
SVLSACE Administration Contact			
Wildwillow Enterprises Inc. - Dwight Moskalyk Box 8 Alberta Beach, AB T0E 0A0 - 780-967-0271 (office) ddm@kronprinzconsulting.ca			
Member Municipality Admin Contacts			
Birch Cove (BC)	CAO Wendy Wildman	cao@birchcove.ca	
Castle Island (CI)	CAO Wendy Wildman	svcastle@telus.net	
Nakamun Park (NP)	CAO Wendy Wildman	cao@svnakamun.com	
Ross Haven (RH)	CAO Tony Sonleitner	cao@rosshaven.ca	
Sandy Beach (SB)	CAO Louise Kormos	svsandyb@xplornet.ca	
Silver Sands (SS)	CAO Wendy Wildman	administration@wildwillowenterprises.com	
South View (SV)	CAO Angela Duncan	svsouthview@outlook.com	
Sunrise Beach (SRB)	CAO Emily House	administration@svsunrisebeach.ca	
Sunset Point (SSP)	CAO Mike Primeau	office@sunsetpoint.ca	
Val Quentin (VQ)	CAO Marlene Walsh	cao@valquentin.ca	
West Cove (WC)	CAO Wendy Wildman	svwestcove@outlook.com	
Yellowstone (YS)	CAO Robin Murray	office@svyellowstone.ca	
Notes:			
current as of Sept. 20, 2025			



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Peace River*

AR119711

August 8, 2025

His Worship Dean Preston
Mayor
Summer Village of Birch Cove
Box 8
Alberta Beach AB T0E 0A0

Dear Mayor Preston:

I am pleased to confirm your allocation for the 2025-26 Canada Community-Building Fund (CCBF). In 2025, Canada allocated Alberta \$276 million; this partnership between the province and the federal government will help ensure local governments in Alberta can continue to make needed investments in local infrastructure.

For the Summer Village of Birch Cove, your 2025 CCBF allocation is \$9,069.

Both the CCBF and Local Government Fiscal Framework (LGFF) funding amounts for all municipalities and Metis Settlements are posted on the Government of Alberta website at <https://open.alberta.ca/publications/canada-community-building-fund-allocations>.

I look forward to working together with you to support your local infrastructure needs, and building strong, vibrant communities across Alberta.

Sincerely,

Dan Williams, ECA
Minister of Municipal Affairs

cc: Wendy Wildman, Chief Administrative Officer, Summer Village of Birch Cove

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Outlook

ABmunis recommendations on the implementation of Bill 50 changes

From Tyler Gandam <president@abmunis.ca>

Date Wed 2025-08-27 1:32 PM

To

📎 1 attachment (407 KB)

ABmunis Submission to MA re Implementation of Bill 50 Changes 20250826.pdf;

Dear Mayors, Councillors, and CAOs:

When the legislature passed Bill 50, the *Municipal Affairs Statutes Amendment Act, 2025*, we knew there would be further engagements this summer on how the province would implement some of the changes to the *Municipal Government Act*. On August 15, Municipal Affairs sent ABmunis and other municipal associations a series of questions and then held an engagement meeting on August 18. Despite the short window for input, ABmunis collected feedback from some members, and our Board approved the attached recommendations.

Key Messages based on ABmunis' Recommendations

We are sharing the following key messages to help you in any conversations that you have with provincial officials on these matters.

Reporting to Council on the Use of Natural Person Powers

- The Government of Alberta should not implement a regulation that defines when the CAO must immediately report to council on the municipality's use of natural person powers.
- The responsibility for determining what and when the CAO should report should be left to the authority of each council.
- If the Government of Alberta wants to define when the CAO must report to council on the use of natural person powers, then ABmunis has made some suggestions in their August 26 submission (attached).

Councillor Information Requests

- The MGA should be updated to require municipalities to have a policy for how information requests from individual councillors are handled.
- Each municipality's policy should define when an information request by a councillor requires the approval by council.
- This policy will help ensure that municipal staff resources are focused on the priorities of council as a whole and not tied up with one councillor's interests.

Council Meeting Procedures to Manage Conflict

- Councils range in size so rules in one municipality may not work for another.
- Robert's Rules of Order already provide significant guidance for managing meetings.
- Instead of creating a standard meeting procedure for every council, Municipal Affairs could define what procedures must be addressed in each municipality's procedural bylaw.
- We await the Government of Alberta to follow through on its commitment to engage on the creation of a municipal ethics commissioner to deal with misconduct by councillors inside and outside of council meetings.

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If you have any questions about ABmunis' input, please email advocacy@abmunis.ca.

Thank you,

Tyler Gandam | President

E: president@abmunis.ca

300-8616 51 Ave Edmonton, AB T6E 6E6

Toll Free: 310-MUNI | 877-421-6644 |

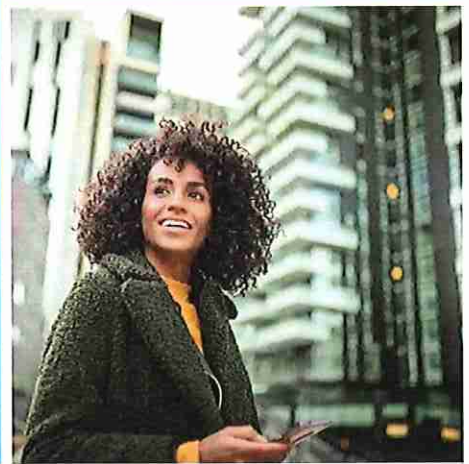
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We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.

Recommendations on Implementation of Bill 50 Changes



Submitted to Alberta Municipal Affairs

August 26, 2025

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Background

This report represents Alberta Municipalities (ABmunis) response to Municipal Affairs' August 15, 2025 discussion guide questions on potential considerations to implement changes to the *Municipal Government Act* made by Bill 50, the *Municipal Affairs Statutes Amendment Act, 2025* regarding proposals to:

- Require the CAO to report to council on the use of natural person powers.
- Set standard procedures for councils to manage conflict in council meetings.
- Improve rules for managing information requests by councillors.

Natural Person Powers

Background from Municipal Affairs

The 2025 MGA amendments initially required CAOs to provide notice, in writing and to council, within 72 hours of exercising any Natural Person Powers. Based on feedback from municipal stakeholders, this section was amended to remove the reference to 72 hours, establish regulation making authority, and delay these sections coming into force until proclamation to ensure sufficient time to put clear rules in place.

A potential policy approach is to create a very limited scope of CAO use of Natural Person Powers that would need to be reported. Issues that would not need to be reported to council are matters that are:

- Authorities contained in the CAO bylaw,
- Addressed in the emergency management bylaw,
- Previously approved by council in the budget, and
- Human resources matters, including seeking legal advice regarding personnel issues.

1.1. Would this scope ensure that only significant, "out of the norm" actions are reported to council?

ABmunis remains concerned that the proposal to mandate CAO reporting on the use of natural person powers opens the door for red tape and inefficient use of government workers' time. It may be time-consuming for municipal administrators to continually cross-reference the details of the CAO bylaw and emergency management bylaw and annual budget to determine if the exact situation they are facing is required to be reported to council within the timelines that are prescribed in the regulation. This is an inefficient use of time, particularly if the matter is of little importance or relevance to council's role in governance.

The term 'natural person powers' is not well understood and generally requires legal advice as to whether an action by the municipality is a use of natural person powers. Administrators that are new to the municipal sector will not understand if an action by the municipality is a use of natural person powers and may then feel the need to go through the extra effort of reporting a matter to council regardless of its importance, just to avoid breaking the law.

ABmunis recommends that:

The province repeal this provision from the MGA and maintain the status quo by deferring to the authority of councils to determine the expected scope and timeliness of reporting of their CAO. This would then be managed through any policies or agreements that relate to the performance of the CAO such as the CAO bylaw, employment contract, or performance plan instead of legislation that applies to every CAO and council.

Recommendations on Implementation of Bill 50 Changes

Alternative Option

If the Government of Alberta is committed to legislating irregular situations where the CAO must report to council, ABmunis would recommend excluding matters where the CAO/administration has authority based on any council approved policy or bylaw, not just the CAO bylaw and emergency management bylaw.

To help strengthen the relationship between CAOs and councils, ABmunis and the Rural Municipalities of Alberta are collaborating to develop resources for municipalities. This includes:

- A guide on best practices for CAO-council relationships.
- Launch a new course through the Elected Officials Education Program focused on Council's Role in the Employment of the CAO.

1.2. Given the scope, would reporting of such uses of Natural Person Powers within 72 hours be attainable? Why or why not?

In larger municipalities, the CAO may delegate the reporting function to other staff and it may be challenging to track every instance where natural person powers are used and where front-line staff may not recognize the time urgency to report those instances to council.

In smaller municipalities, the CAO may be the only office administrator where a 72-hour deadline may not be possible because the CAO works part time.

In addition, there are challenges with long weekends or circumstances where there are a variety of factors competing for the CAO's time such as higher priority issues, off-site events, or personal circumstances.

It may be challenging to determine what triggers the start of the 72 hours and would some councillors weaponize this against the CAO? For example, is it when the municipality has exercised those powers or when the CAO becomes aware of the use of those powers?

ABmunis recommends that:

If the province is committed to legislating reporting on the use of natural person powers, then councils should be required to pass a bylaw that prescribes the time period that the CAO must report to council to ensure the time period works based on their local circumstances.

1.3. Would it be practicable to allow written notice of Natural Person Power use to be given by electronic methods such as email? Why or why not?

Yes, but some municipalities may prefer other communication methods such as text or a written memo that is published in the council agenda for transparency for the public.

Councillor Information Requests

Background from Municipal Affairs

The 2025 MGA amendments established that CAOs must share information with a councillor as soon as practicable once the information has been requested. If information is not shared due to personal privacy or confidentiality reasons, the reason for not sharing must be provided to all councillors. Information must be provided to all other councillors within 72 hours of the information being provided to the requesting councillor.

An approach to ensure guardrails are in place would be to delineate between information that is readily available within the administration, versus information that will require staff time to conduct research and analysis. Requests for new information that require significant staff time would need to be conducted through a council resolution.

2.1. Is it feasible to distinguish between 'readily available' and 'new information'? Why or why not?

Yes, the policies used by some municipalities (e.g. City of Edmonton, City of Calgary, and City of Lethbridge) demonstrate that it's feasible to distinguish when an information request exceeds a reasonable cost to the municipality and when that is triggered, that council is required to approve the information request before administration takes action. The cost of the information request can be measured based on the estimated time and/or direct costs for staff to research and analyze the issue and prepare the information for the councillor.

2.2. Do you have any additional thoughts or concerns about the approach?

Experience has shown that some councillors may regularly ask for information that can create a burden on municipal administration, without the support of the majority of council. Therefore, there is merit in requiring municipalities to pass a bylaw or policy that prescribes how information requests by a councillor are handled and when the request warrants approval by the majority of council.

This may include defining:

- The process to submit a request.
- What criteria will trigger the need for a councillor's individual request for information to be approved by council.
- The period that administration has to complete the request or explain why a request cannot be met within the standard time period.

2.3. Should there be a requirement for a formal request for information by a council meeting resolution, decision of council, or request of council?

While some cities use a threshold of \$2,000 to determine when council must approve an information request, a lower amount would be more appropriate for smaller municipalities.

ABmunis recommends that:

That the MGA require municipalities to have a policy or bylaw for how councillor information requests are handled and that the policy/bylaw should define when a request needs to be approved by council. This ensures that the process works based on each municipality's administrative capacity and each council's expectations for how information requests by a councillor are handled.

Council Meeting Procedures

Background from Municipal Affairs

The MGA establishes that a council may, by bylaw, establish functions and procedures for council and council committee meetings. Many municipalities have opted to pass a meeting procedures bylaw because it establishes processes and clarifies expectations for council, administration, and the public. Items typically seen in municipal procedural bylaws include procedural rules, committee membership, public hearings, quorum, absences, and electronic meetings.

Recent amendments to the MGA allow the Minister of Municipal Affairs to establish standard meeting procedures through Ministerial Order. A policy approach would be to only establish procedures to affirm the authority of the chair to deal with councillor behaviour within a council meeting.

3.1. Could adding responsibility for the mayor/reeve to ensure meeting procedures are followed and in-meeting disputes are addressed help address councillor conflict? Why or why not?

It would be important to define if the special responsibilities will be specific to the mayor/reeve or apply to whoever is serving as the chair. In some cases, mayors or reeves are not the chair of each council committee and having additional authorities outside of being a member of the committee could create additional conflicts.

If the reference to mayor/reeve is to their role as chair, there are many existing best practices within parliamentary procedures that outline the role of the chair. Within Roberts Rules of Order, the chair is seen as a facilitator of discussion and decision-making process, not the sole decision maker. The core responsibilities of the chair include opening and closing meetings, announcing business, recognizing speakers, amongst many other responsibilities that ensure the fair, efficient and clear management of meetings.

A key part of this responsibility of the chair is to ensure procedures are followed, decorum is maintained, and in-meeting disputes and behaviour are managed according to the agreed to procedures. Chairs are regularly called on to rule on procedure. There is also usually a way for members to challenge these rulings, if a member of the assembly (council or committee) does not agree with the ruling, and ultimately it is up to the assembly to vote on whether to uphold the decision of the chair.

Currently there is the ability of each municipality to develop a procedures bylaw if they deem necessary, and this enables each municipality to develop procedures that reflect their unique needs, the size of their council, and past precedence built up over many years.

ABmunis recommends that:

Mandate that each municipality's procedural bylaw include:

- A procedure for the chair to manage in-meeting disputes, including the ability of the chair to rule on procedure (e.g., points of privilege, points of order, out of order motions, etc.), and
- The ability of the council or committee to appeal the chair's rulings if they deem necessary.

3.2. How should council meeting procedures address situations when the mayor/reeve is part of the conflict?

As noted above, often councils have existing procedural bylaws or apply parliamentary procedures such as Roberts Rules. There are common rules that enable council and/or committees to keep a balance between the power of the chair (mayor/reeve) and the members of council or committee as a whole. This includes the ability to challenge the ruling of the chair by the wider assembly which is important to ensure the chair is not overstepping in their role.

Recommendations on Implementation of Bill 50 Changes

The chair is meant to maintain impartiality and if there is a conflict of which the chair is a party to, the assembly can temporarily appoint a different member as the presiding officer and/or the chair can pass the role to another member for the duration of the item where there is a conflict.

ABmunis recommends that:

Municipal Affairs require that each municipality's procedural bylaw either defer to Robert's Rules of Order or include a procedure for when a chair is directly involved in an in-meeting conflict.

3.3. Should the meeting chair have the authority to eject a councillor from a meeting? If so, should this require a supermajority vote of council (a specified proportion of votes greater than a simple majority)?

There are existing options for how to manage the potential need to eject a member of council from a meeting if deemed necessary. Given the role of council and the elected nature of these roles, it is important to have clear steps to outline how to and why a member of council could be ejected. For example, it should not be for expressing an opinion that is different from others in the meeting, but amount to harassment or something more concerning and ejection should be considered only as a last resort. It is important if the chair has the power to eject a member of council, that the decision is appealable by the assembly. This would be in line with Roberts Rules ability to challenge or appeal the decision of the chair. Given the need to ensure this power is not overly used or abused, Municipal Affairs provide guidance on the limitations of when this power to eject members be used. Given that some councils can have as few as three members a supermajority should not be required in any appeal of the chair's ruling.

ABmunis recommends that:

Municipal Affairs require that each municipality's procedural bylaw include a procedure for managing the temporary ejection of a councillor when there is a serious breach of conduct that is threatening to members of council or the proceedings of council business. Municipal Affairs should ensure that this decision by the chair is able to be appealed by council or committee and provide clear guidance on when this power should be exercised by the chair.

3.4. Are there other elements that could be added to council meeting procedures to prevent, mitigate, or address councillor conflict?

Sometimes the issue is not the exact procedure, but rather the capacity of each council to manage conflicts. Rather than focusing on specific procedures, councils could benefit from training on general parliamentary procedures. This could demystify meeting procedures and clarify that even a motion such as appealing a ruling of the chair does not have to be combative but rather is another step in good governance.

Alberta's Elected Officials Education Program already offers a course on Effective Meetings. With financial support, the curriculum of this course could be updated to include additional guidance on managing conflicts. In addition, ABmunis would be open to working with Municipal Affairs and other municipal associations on a procedural bylaw guide to support municipalities in adopting practical and effective meeting procedures and practices.

3.5. Are there other common elements of meeting procedures which should be standardized across the province to reduce the potential for councilor conflict?

Rather than standardizing specific procedures it might be more effective to outline the requirement to have a procedural bylaw and what elements must be included in these bylaws. This would enable municipalities to have procedural rules that meet their needs based on the unique size of each council.

Experience has shown that conflict and misconduct take place inside and outside of council meetings and therefore, a procedural bylaw for how council meetings are run will only address part of the issue. We note that our recommendations are made based on the expectation that the Government of Alberta will follow

Recommendations on Implementation of Bill 50 Changes

through on its commitment to engage on the creation of an independent municipal ethics commissioner to assist councils to manage cases of serious misconduct by councillors.

Again, a guide that includes examples of best practices and lessons learned may be more effective at enhancing the capacity of municipalities to adopt effective procedural bylaws than overly prescriptive legislation that may not meet the needs of Alberta's diverse municipalities.

Final Thoughts

Timelines for Engagement

ABmunis strongly encourages Alberta Municipal Affairs to provide materials for engagements at least one week prior to any meetings.

For context, Municipal Affairs provided the discussion guide questions on a Friday afternoon for a meeting being held on the following Monday, giving less than 8 hours of regular office hour time for review on matters that will have a significant impact on the operations of all municipal governments. The discussion guide included questions that had not been previously considered by ABmunis and therefore offered minimal time for evaluation with members and subject matter experts.

ABmunis encourages Alberta Municipal Affairs to consider what processes or capacity challenges can be improved to provide adequate time for municipalities and partners to meaningfully participate in engagements and come to the table with valuable solutions.

Summary of Recommendations

Reporting on the Use of Natural Person Powers

1. That the province repeal this provision and maintain the status quo by deferring to the authority of councils to determine the expected scope and timeliness of reporting by their CAO.
2. If the province is committed to legislating reporting on the use of natural person powers, then ABmunis recommends that:
 - a. The province exclude reporting for matters where the CAO/administration has authority based on any council approved policy or bylaw, not just the CAO bylaw and emergency management bylaw. Matters that were approved in the budget and human resources matters should also be excluded from reporting by the CAO unless the CAO sees merit in communicating with council.
 - b. Each council should prescribe the time period that the CAO must report to council to ensure alignment with each municipality's administrative capacity and local context.
 - c. Each council should prescribe the form in which the CAO must report to council on the use of natural person powers (e.g. text, email, memo, etc.).

Councillor Information Requests

3. That the province require municipalities to have a policy or bylaw that defines:
 - a. How a councillor must submit an information request,
 - b. What criteria will trigger the need for a councillor's request for information to be approved by council, and
 - c. The time period that administration has to complete the request and the process for reporting to council when a request cannot be met within the standard time period.

Recommendations on Implementation of Bill 50 Changes

Council Meeting Procedures

4. If the province is committed to creating standardization across council meeting procedures, ABmunis recommends that Municipal Affairs require that procedure bylaws be created by each municipality and include specific types of procedures that must be included but not specify the procedures themselves.

The required procedures in the bylaw could include, but are not limited to:

- a. The role of the chair in managing an in-meeting conflict, including how the council or committee can appeal the ruling of the chair.
- b. When the chair must cede the chair to another member due to their involvement in an in-meeting conflict.
- c. If, when and how a member could be ejected from a meeting for misconduct, including that the chair's decision to eject a councillor be appealable by council, and provide clear guidance on the limited situations when this power should be used.

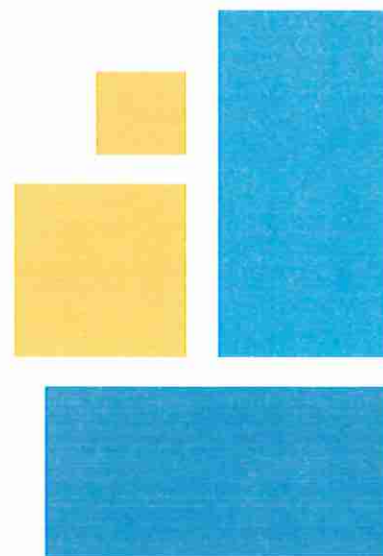


Alberta Municipalities Strength In Members

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ALBERTA
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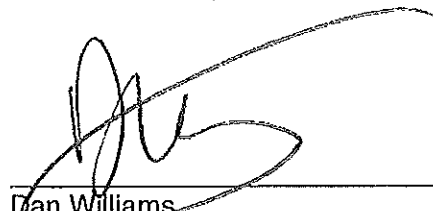
*Office of the Minister
MLA, Peace River*

MINISTERIAL ORDER NO. MAG:006/25

I, Dan Williams, Minister of Municipal Affairs, pursuant to Section 359.4 of the *Municipal Government Act (MGA)*, make the following order:

The amount of the requisitions payable under Section 326(1)(a)(vi) of the *MGA*, by the municipalities listed in the attached Appendices are cancelled or reduced by the amounts set out in Appendix A for the 2018, 2019, 2020, 2021, 2022, 2023 and 2024 taxation years, Appendix B for the 2025 taxation year and Appendix C for the 2024 taxation year.

Dated at Edmonton, Alberta, this 31 day of July, 2025.



Dan Williams
Minister of Municipal Affairs

2025 Designated Industrial Property Tax Requisition Under \$1,000 Cancellations			
Municipality	2024 Assessment Year Designated Industrial Assessment	2025 Designated Industrial Property Requisition Tax Rate	2025 Designated Industrial Requisition
Summer Village of Castle Island	\$18,410	0.0701	\$1.29
Summer Village of Burnstick Lake	\$39,640	0.0701	\$2.78
Summer Village of Half Moon Bay	\$48,060	0.0701	\$3.37
Summer Village of Waiparous	\$54,450	0.0701	\$3.82
Summer Village of Birch Cove	\$60,770	0.0701	\$4.26
Summer Village of Betula Beach	\$63,160	0.0701	\$4.43
Summer Village of Larkspur	\$63,510	0.0701	\$4.45
Summer Village of Ghost Lake	\$74,640	0.0701	\$5.23
Summer Village of Lakeview	\$76,670	0.0701	\$5.37
Summer Village of Point Alison	\$84,220	0.0701	\$5.90
Summer Village of Kapasiwin	\$91,580	0.0701	\$6.42
Summer Village of Sundance Beach	\$97,060	0.0701	\$6.80
Village of Edberg	\$113,640	0.0701	\$7.97
Summer Village of Island Lake South	\$120,030	0.0701	\$8.41
Summer Village of South View	\$145,370	0.0701	\$10.19
Summer Village of West Baptiste	\$147,270	0.0701	\$10.32
Summer Village of South Baptiste	\$148,390	0.0701	\$10.40
Summer Village of Sunrise Beach	\$161,720	0.0701	\$11.34
Summer Village of Nakamun Park	\$168,400	0.0701	\$11.80
Summer Village of Sunset Beach	\$168,980	0.0701	\$11.85
Summer Village of Itaska Beach	\$171,740	0.0701	\$12.04
Summer Village of Sunbreaker Cove	\$180,900	0.0701	\$12.68
Summer Village of Yellowstone	\$187,520	0.0701	\$13.15
Summer Village of Bonnyville Beach	\$189,170	0.0701	\$13.26
Summer Village of Norris Beach	\$190,250	0.0701	\$13.34
Village of Milo	\$200,530	0.0701	\$14.06
Summer Village of Sunset Point	\$210,740	0.0701	\$14.77
Summer Village of Horseshoe Bay	\$214,960	0.0701	\$15.07
Summer Village of Silver Beach	\$224,000	0.0701	\$15.70
Summer Village of West Cove	\$233,780	0.0701	\$16.39
Summer Village of Ross Haven	\$247,100	0.0701	\$17.32
Village of Arrowwood	\$254,510	0.0701	\$17.84
Summer Village of Mewatha Beach	\$254,640	0.0701	\$17.85
Summer Village of Gull Lake	\$256,060	0.0701	\$17.95



Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

September 22, 2025

The Honourable Dan Williams
Minister of Municipal Affairs

Dear Minister:

Thank you for your continued service to the people of Alberta and for your leadership within our government.

Albertans have entrusted us with a clear mandate: to deliver results, strengthen our communities, and build a future rooted in prosperity, opportunity, and responsible governance. Our government was elected to get the job done – and that is exactly what we will do.

Your ministry has had great success and accomplished several important milestones that reflect your commitment to serving Albertans. Some of these include:

- Strengthening local governance and updating local election rules with amendments to the *Municipal Government Act*, *Local Authorities Election Act* and the Local Political Parties and Slates Regulation.
- Enhancing construction safety and quality standards for newly built homes with changes to *New Home Buyer Protection Act* and the *Safety Codes Act*.

These achievements have laid a strong foundation for the work ahead and demonstrate your team's ability to turn vision into action.

Under your leadership as Minister of Municipal Affairs, I expect you to work closely with your Cabinet and Caucus colleagues and the public service through the Committee, Cabinet, and legislative processes to deliver on the following commitments to support Albertans, including:

- Maintain and build relationships of trust, partnership, and open dialogue with municipal leaders across the province and bring feedback and solutions from these discussions with municipal leaders to Caucus and Cabinet for timely consideration and action.
- Continue working with municipalities and local businesses to benchmark, measure and reduce the time it takes to approve permits to create a more attractive business investment environment.
- Work collaboratively with municipalities to eliminate conflicts between provincial policy and municipal bylaws and policy.
- Review and engage on how the government can support urban development that meets young Albertans' goals of home ownership in safe, affordable, attractive, livable family-friendly communities that reflect Alberta's distinct values and heritage.

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Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

they serve.

Together with you and our Caucus and Cabinet colleagues, I look forward to continuing the important work we have started and to get the job done.

Sincerely,

A handwritten signature in black ink, reading "Danielle Smith".

Hon. Danielle Smith
Premier of Alberta

Summer Village of Sandy Beach
Council Organizational Chart

Updated October 15, 2025

		Rep	
		Alternate	
	Name	David Noyes	Deborah Mayer
	Position	Mayor	Deputy Mayor
	Email	dave.noyes@sandybeach.ca	deb.mayer@sandybeach.ca
	Phone	780-975-0156	780-218-7280
			Nicolas Pelechytik
			Councillor
			nick.pelechytik@sandybeach.ca
			780-807-0398
Darwell Wastewater Commission			
Family and Community Support Services (Sun & Sand Community League)			
Highway 43 East Waste Commission			
Ste. Anne Summer Villages Regional Emergency Management			
Subdivision and Development Appeal Board			
Summer Village of Sandy Beach and Summer Village of Sunrise Beach Lagoon Committee			
Summer Villages of Lac Ste. Anne County East (one vote)			
West Inter Lake District Regional Water Services Commission			
Yellowhead Regional Library			
Director or Emergency Management Brian Brady (DEM)		Phone (780) 915-6539 Email: babrady54@gmail.com	
Deputy Director or Emergency Management Louise Kormos (DDEM)		Phone (587) 588-9012 Email: cao@sandybeach.ca	
ADMINISTRATIVE CONTACTS: Chief Administrative Officer - Louise Kormos Email: cao@sandybeach.ca Phone (780) 967 - 2873 Cell (587) 588 - 9012 Summer Village of Sandy Beach RR 1 Site 1 Comp 63 Onoway, AB T0E 1V0			