

## TOWN OF DAYSLAND

### BYLAW NO. 2019-652

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#### **BEING A BYLAW OF THE TOWN OF DAYSLAND IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF SPECIFYING THE POWERS AND DUTIES OF A BYLAW ENFORCEMENT OFFICER AND ESTABLISHING DISCIPLINARY PROCEDURES APPLICABLE TO THE BYLAW OFFICER.**

WHEREAS, pursuant to Sections 555 and 556 of the *Municipal Government Act, R.S.A. 2000, c.M-26*, as amended or repealed and replaced from time to time, every council must by bylaw specify the powers and duties of Bylaw Enforcement Officers, and establish disciplinary procedures applicable to its Bylaw Enforcement Officer;

NOW THEREFORE, the Council of the Town of Daysland, in the Province of Alberta, duly assembled, hereby enacts as follows:

#### **Short Title**

1. This bylaw may be cited as “the Bylaw Enforcement Officer Bylaw.”

#### **Definitions**

2. In this Bylaw, unless the context requires otherwise,
  - (a) “Bylaw” means bylaws of the Town of Daysland.
  - (b) “Bylaw Enforcement Officer” means a person who has been appointed pursuant to this bylaw as a Bylaw Enforcement Officer.
  - (c) “CAO” means the Chief Administrative Officer.
  - (c) “Council” means the Council of the Town of Daysland.
  - (d) “Municipality” means the Town of Daysland.

#### **Appointment of Bylaw Enforcement Officers**

3. Council may, from time to time, appoint one or more Bylaw Enforcement Officers by resolution.
4. A Bylaw Enforcement Officer shall, before starting his or her duties, take the official oath prescribed by the *Oaths of Office Act*, as provided in Schedule A.

#### **Powers and Duties of Bylaw Enforcement Officers**

5. The powers and duties of the Bylaw Enforcement Officer are as follows:
  - (a) to ensure that bylaws of the Municipality are enforced.
  - (b) to follow the directions of the Council and CAO and to report to the CAO as required by him/her.
  - (c) to respond to and investigate complaints.

- (d) to conduct routine patrols.
- (e) to issue warnings or tickets.
- (f) to prosecute or assist in the prosecution of breaches of Municipal Bylaws including the gathering of evidence, the attendance of witnesses and any appearances in court that may be required.
- (g) to perform all other duties as may from time to time be assigned by the CAO.

**Complaints About the Bylaw Officer**

- 6. Where it is alleged that a Bylaw Enforcement Officer, in carrying out his duties, has committed a disciplinary default as defined by the Bylaw, the CAO shall investigate the complaint and address the Bylaw Enforcement Officer directly, after discussing with both parties.
- 7. For the purposes of this Bylaw, the following shall be disciplinary defaults:
  - (a) discreditable conduct;
  - (b) insubordination;
  - (c) neglect of duty;
  - (d) deceit;
  - (e) breach of confidence;
  - (f) corrupt practice
  - (g) unlawful or unnecessary exercise of authority;
  - (h) consuming intoxicating liquor or drugs in a manner prejudicial to duty.

**Repeal**

- 8. The Town of Daysland Bylaw 2006 – 447 is hereby repealed.

**Effective**

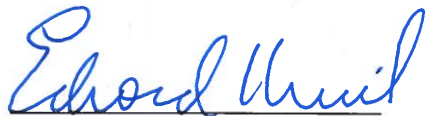
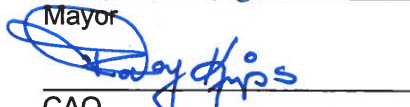
This Bylaw shall come into force and effect upon the date of final passing thereof.

READ A FIRST TIME THIS 25 DAY OF Nov., 2019.

READ A SECOND TIME THIS 25 DAY OF Nov., 2019.

PERMISSION FOR THIRD READING THIS 25 DAY OF Nov., 2019.

READ A THIRD TIME THIS 25 DAY OF Nov., 2019.

  
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Mayor  
  
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CAO