

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44**

**BYLAW C-5546-2002**

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**A BYLAW OF THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44 TO ESTABLISH THE POWERS AND DUTIES AND DISCIPLINARY PROCEDURES RELATING TO BYLAW ENFORCEMENT OFFICERS IN THEIR CAPACITY AS PRESERVERS AND MAINTAINERS OF THE PUBLIC PEACE.**

**WHEREAS** Section 7 of the Municipal Government Act, R.S.A. 2000 chapter M-26 as amended, provides that a Council may pass a Bylaw for enforcement of bylaws. Appointment of designated officers (Bylaw Enforcement Officers) is approved in Section 210(1) of the Municipal Government Act (supra).

**AND WHEREAS** Section 555(1) of the Municipal Government Act (supra), provides that if a Council does appoint Bylaw Enforcement Officers, the Council shall establish a bylaw delineating the powers, duties and disciplinary procedures for such officers.

**NOW THEREFORE THE COUNCIL OF THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:**

**SECTION 1 NAME OF BYLAW**

1.1 This bylaw shall be cited as "The Bylaw Enforcement Officer Bylaw".

**SECTION 2 DEFINITIONS**

2.1 In this bylaw the following words shall have the following meanings:

- a. "Bylaws" means bylaws of the Municipality;
- b. "Bylaw Enforcement Officer" means a person appointed as such by the Municipal Council;
- c. "Chief Bylaw Enforcement Officer" means the Chief Special Constable or a person designated by the Municipal Manager as the Chief Bylaw Enforcement Officer.
- d. "Municipal Manager" means the person appointed pursuant to Municipal Government Act (supra);
- e. "Council" means Council of the Municipal District of Rocky View No. 44;
- f. "Municipality" means the corporate limits of the Municipal District of Rocky View.

**SECTION 3 BYLAW ENFORCEMENT SUPERVISOR**

3.1 The Chief Special Constable is designated as a Committee of one, for the purpose of appointing all bylaw enforcement officers.

3.2 The Chief Special Constable or his designate shall be the Supervisor of bylaw enforcement and is authorized:

- a. To set rules and regulations for the conduct of Bylaw Enforcement Officers with respect to their powers and duties as peace Officers;
- b. To establish disciplinary procedures, including penalties and an appeal process, applicable to Bylaw Enforcement Officers;

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- c. To carry out investigations of the enforcement of Bylaws as Council may request, and to make a written report to Council of the results of any such investigation.
- d. To carry out any further duties and responsibilities assigned by Council.

### **SECTION 4 CHIEF BYLAW ENFORCEMENT OFFICER**

- 4.1 The Chief Special Constable or his designate shall be the Chief Bylaw Enforcement Officer.
- 4.2 The powers and duties of the Chief Bylaw Enforcement Officer are:
  - a. To ensure that all bylaws of the Municipality are enforced;
  - b. To provide for the supervision of the performance and conduct of the bylaw enforcement officers of the Municipality;
  - c. To make recommendations in writing to the Municipal Manager for the discipline of a bylaw enforcement officer;
  - d. To report to the Municipal Manager or his designate and carry out the directions of the Municipal Manager;
  - e. To establish standards of uniform, insignia and identification for bylaw enforcement officers;
  - f. To assist in the prosecution of breaches of all municipal bylaws including the gathering of evidence, the attendance of witnesses and any appearances in court that may be required;
  - g. To take the official oath prescribed by the Oaths of Office Act upon being appointed as Chief Bylaw Enforcement Officer and to carry upon his person at all such times as he is acting as Chief Bylaw Enforcement Officer evidence in writing of his appointment as Chief Bylaw Enforcement Officer of the Municipality.
  - h. The Chief Bylaw Enforcement Officer will be a designated officer for the purposes of Section 545 and 546 of the Municipal Government Act (supra).

### **SECTION 5 BYLAW ENFORCEMENT OFFICER**

- 5.1 The powers and duties of a Bylaw Enforcement Officer are as follows:
  - a. To enforce the bylaws which the Municipal Council has authorized the Bylaw enforcement officer to enforce;
  - b. To follow the directions of the Chief Bylaw Enforcement Officer to enforce within the boundaries of the Municipality;
  - c. To respond to and investigate complaints;
  - d. To conduct routine patrols;
  - e. To issue notices and violation tickets;
  - f. To lay information;
  - g. To assist in the prosecution of bylaw contravention's including appearances in court to provide evidence;
  - h. To perform all other duties as may from time to time be assigned by the Chief Bylaw Enforcement Officer or Supervisor of Bylaw Enforcement;
  - i. To take the official oath prescribed by the Oaths of Office Act upon being appointed as a Bylaw Enforcement Officer and to carry on his person at all such times as he is acting as a Bylaw Enforcement Officer evidence in writing of his appointment as a Bylaw Enforcement Officer of the Municipality.

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**SECTION 6 THIS BYLAW SHALL COME INTO EFFECT WHEN IT HAS RECEIVED THIRD AND FINAL READING.**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 11th day of June, 2002 on a motion by Councillor Schule.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 11th day of June, 2002, on a motion by Councillor Everett.

Permission to give third and final reading was carried unanimously in open Council assembled in the City of Calgary, in the Province of Alberta, this 11<sup>th</sup> day of June, 2002, on a motion by Councillor Habberfield.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 11th day of June , 2002, on a motion by Councillor Kent.

  
REEVE OR DEPUTY REEVE

  
MUNICIPAL SECRETARY