
**A BYLAW OF THE TOWN OF ONOWAY, IN THE PROVINCE OF
ALBERTA TO PROVIDE FOR A COMMUNITY PEACE OFFICER AND
ENFORCEMENT SERVICES.**

WHEREAS the *Municipal Government Act* provides that a municipality may provide outside its municipal boundaries any service that it provides within its municipal boundaries in another municipality, but only with the agreement of the other municipality;

AND WHEREAS the Town of Onoway has signed an agreement with Lac Ste. Anne County in which Lac Ste. Anne County will provide certain enforcement services to the Town of Onoway;

AND WHEREAS the *Municipal Government Act* provides that a council may by bylaw establish one or more positions to carry out the powers, duties or functions of a designated officer;

AND WHEREAS Council wishes to exercise its authority pursuant to the *Municipal Government Act* to approve the agreement with Lac Ste. Anne County and to establish a Community Peace Officer as a designated officer for the purposes of enforcement services;

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

1. TITLE

- 1.1. This Bylaw may be cited as the "Community Peace Officer Designated Officer Bylaw".

2. INTERPRETATION

- 2.1. In this Bylaw, the following terms shall have the following meanings:
- a) "Bylaw" means this Community Peace Officer Designated Officer Bylaw;
 - b) "CAO" means the chief administrative officer for the Town;
 - c) "Council" means the municipal council of the Town;
 - d) "County" means Lac Ste. Anne County;
 - e) "Designated Officer" has the same meaning as defined in the *Municipal Government Act*;
 - f) "Enforcement Services Agreement" means the Enforcement Services Agreement between Lac Ste. Anne County and the Town of Onoway made effective June 1, 2019;
 - g) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder; and
 - h) "Town" means the municipal corporation of the Town of Onoway.

- 2.2. Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.
- 2.3. Whenever a singular or masculine form of a word is used in this Bylaw, it shall include the plural, feminine or neutral form of the word as the context requires.
- 2.4. The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.

3. ADOPTION OF ENFORCEMENT SERVICES AGREEMENT

- 3.1. The Enforcement Services Agreement is hereby adopted and incorporated as part of this Bylaw.

4. COMMUNITY PEACE OFFICER

- 4.1. The position of Community Peace Officer is hereby established.
- 4.2. The Community Peace Officer assigned from time to time by the County to provide enforcement services to the Town pursuant to the Enforcement Services Agreement is the Community Peace Officer for the purposes of this Bylaw.
- 4.3. The Community Peace Officer is authorized to enforce Provincial Legislation as defined in the Enforcement Services Agreement within the municipal boundaries of the Town and to enforce the Town's municipal bylaws. The Community Peace Officer is appointed as a bylaw enforcement officer for the Town pursuant to section 555(1) of the *Municipal Government Act*.
- 4.4. The Community Peace Officer shall have such additional powers, duties and functions as may be provided to the Community Peace Officer in any other bylaws of the Town.
- 4.5. The Community Peace Officer is subject to the supervision of and accountable to the CAO except as otherwise provided for in the Enforcement Services Agreement.

5. DESIGNATED OFFICER – COMMUNITY PEACE OFFICER

- 5.1. The Community Peace Officer is authorized to carry out the following powers, duties and functions of a designated officer under the *Municipal Government Act*:

Section 420(2)	Obtaining possession of lands
Section 436.11	Obtaining possession of manufactured homes
Section 439(2)	Preparing and issuing distress warrants and seizing goods
Section 532(8)	Traffic control device removal
Section 542	Entering on land to inspect, remedy and enforce bylaws thereunder
Section 544	Applying to court for an order re: inspections

- Section 545 Issuing order to cease contravention of any bylaw
Section 546 Orders to remedy dangerous and unsightly property

6. GENERAL

- 6.1. Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 6.2. This Bylaw rescinds the following bylaws establishing designated officers in their entirety, including any amendments thereto:
- a) 544-99

7. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 3rd day of October, 2019

READ a second time this 3rd day of October, 2019

UNANIMOUS CONSENT to proceed to third reading this 3rd day of October, 2019

READ a third and final time this 3rd day of October, 2019

SIGNED this 3rd day of October, 2019



Mayor, Judy Tracy



Chief Administrative Officer, Wendy Wildman