

**Bylaw 476-17**  
**Residential Community Standards**

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**BEING** a Bylaw of the Village of Cremona, in the Province of Alberta, to regulate Neighborhood Nuisance, Safety and Livability Issues.

**WHEREAS**, Section 7(a) of the Municipal Government Act, Chapter M-26RSA 2010 as amended; a council may pass bylaws for municipal purposes respecting the following matter of the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS**, the Municipal Government Act authorizes a municipality to pass bylaws respecting nuisances, including unsightly property;

**AND WHEREAS** it is desirable for regulations which affect neighborhood livability to be located, as much as possible, in one bylaw;

**NOW THEREFORE**, the Council of the Village of Cremona, in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw shall be cited as the “Residential Community Standards Bylaw”.
2. The owner of any real property, as registered on title at the Land Titles Office is ultimately responsible for all activities on the property which may constitute prohibition of this Bylaw.
3. Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or regulation, other bylaw or any requirements of any lawful permit order or license.
4. Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes references to any Act, bylaw, regulation or agency that may be substituted therefore.
5. Every provision of this Bylaw is independent of all other provision and if any provision of this Bylaw is declared invalid for any reason by a Court or competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
6. In this Bylaw:
  - a. **Automobile Parts** includes, but is not limited to, any vehicle part or collection of vehicles parts, or one or more vehicles that are dilapidated, derelict or not in operable condition;
  - b. **Boulevard** means the strip of land between the curb and the property line.
  - c. **Bylaw Enforcement Officer** means a person authorized by Council to carry out the provisions of this bylaw, or the Chief Administrative Officer of the Village of Cremona, or a member of the Royal Canadian Mounted Police;
  - d. **Chief Administrative Officer** means a person appointed as such under the Municipal Government Act by the Village of Cremona Council;
  - e. **Coop** means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Urban Chickens;

- f. **Drone** means any unmanned aerial vehicle (UAV);
- g. **Farm Animals** means a cow, horse, sheep, donkeys, goats, mules, pigs, ducks, turkey, chickens, or any other animal that does not stay in the house during a portion of the day. This does not include dogs, cats, rabbits which are considered domestic animal.
- h. **Graffiti** means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to the surface of any Premises, Structure, or other property.
- i. **Hen** means a domesticated female chicken;
- j. **Lane** means an alley intended primarily for access to the rear of the Premises;
- k. **Litter** means any solid or liquid material or product or combination of products but not limited to: any rubbish, refuse, garbage, paper, package, container, bottle, can, manure, human or animal excrement or sewage or the whole or part of an animal carcass or the whole or part of any article, raw or processed material which can be used for construction of building.
- l. **Motor Vehicle** is a self-propelled road vehicle and off-road vehicle, commonly wheeled, that does not operate on rails, such as trains or trams and used for commercial purposes on the highways in the transportation of passengers, or passengers and property;
- m. **Noise** is any loud sound which either annoys or disturbs persons or which injures, endangers or detracts from the comfort, repose, health, peace or safety of persons;
- n. **Officer** includes a Bylaw Enforcement Officer and a member of the RCMP.
- o. **Owner** includes a corporation other legal entities and an individual having charge or control of a premises; the owner of any real property, as registered on title at the Land Titles Office.
- p. **Premises** includes the external surface of all buildings and the whole or part of any parcel of real property, including the land immediately adjacent to any building of buildings;
- q. **Remedial Order** means an order written pursuant to Section 545 and Section 546 of the Municipal Government Act.
- r. **Rooster** means a domesticated male chicken;
- s. **Structure** means a building, garage, shed, fence or other improvement erected or place in, on, over or under land, whether or not it is affixed to the land;
- t. **Urban Chicken** means a Hen that is at least 16 weeks of age;
- u. **Urban Area** means lands located in the village on which agricultural operations, including but not limited to the keeping of livestock are neither a permitted or discretionary use under the village's Land Use Bylaw.

- v. **Work Forces** include employees of the Village of Cremona and Person under contract to The Village.

## **UNTIDY PROPERTIES**

### **Scope**

- 7. The standards, requirements and prohibitions contained in this Part shall apply to:
  - a. Residential Zoned Premises;
  - b. Vacant lots within residential zoned areas;

### **Accumulation of Materials**

- 8. No owner of a Premise shall allow on the Premise, the accumulation of:
  - a. Any material that creates unpleasant odors;
  - b. Any material likely to attract pests; or
  - c. Animal remains, parts of animal remains, or animal feces.
  - d. Loose garbage;
  - e. Bottles, cans, boxes or packaging materials;
  - f. Household furniture or other household goods;
  - g. Automobiles (derelict)
  - h. Automobile Parts;
  - i. Parts of or disassembled machinery, equipment or appliances; and
  - j. Yard waste, including grass, tree and hedge cuttings.
  - k. Appliances, Fridges and Freezers.

### **Outdoor Storage of Building Materials**

- 9. No owner of real property shall allow on the Premise the accumulation of building materials, whether new or used, unless that the owner or occupier can establish that a construction or renovation undertaking is being carried out on the Premise.  
  
Any persons that hold a valid Village of Cremona Building Permit may be exempt from this clause.

## **Nuisances Escaping Property**

### **Water, Eavestroughs and Downspouts**

- 10. No owner of a Premise shall allow a flow of water from a hose, eave or similar device on the Premise to be directed towards an adjacent premise.

## **Weeds, Grass and Trees**

### **Weed Inspectors**

- 11. The Chief Administrative Officer may appoint Weed Inspectors to enforce the Weed Control Act, S.A. 2008

**Weeds**

- 12. Owners must control the growth of noxious weeds and must destroy any prohibited noxious weeds on their property as per the Weed Control Act, S.A. 2008.

**Grass**

- 13. No owner of a Premise shall allow grass on the Premise to exceed 15 centimeters.

**Trees**

- 14. Owner shall prune, remove or otherwise maintain trees and shrubs that interfere with or endanger traffic control devices, utility lines, poles, pipes, sewers, sidewalks, streets and alleyways or other works of the Village or Public Utility.
- 15. No person shall plant trees or shrubbery on Village Lands or cause trees or shrubbery to be planted on Village Lands without prior written authorization from the Chief Administrative Officer.

The above section shall apply to vacant lots within residential areas and the grass on any boulevard that lies directly between the boundary of a parcel of land and an adjacent highway, road or alley.

**Sidewalks**

- 16. The Owner or Occupier of any premise within the Village of Cremona shall remove and clear away all snow, ice, dirt or other obstructions from the sidewalk adjoining such premises within seventy two (72) hours.
- 17. No owner shall place or allow to be placed any obstruction on any sidewalk, street or roadway without written consent of the Village of Cremona.

**Maintenance of Buildings, Structures and Fences**

**Interpretation**

- 18. For the purpose of this Part:
  - a. "Fence" includes a privately built fence and a developer-built community screening fence;
  - b. "Good Repair" means a condition where something is free from;
    - i. Significant damage;
    - ii. Rot or other significant deterioration;
  - c. "Structure" includes any building, retaining wall, shed or portable shack.

**Obligation to Maintain**

- 19. No owner or occupier of a Premise shall allow a Structure or Fence to become a safety hazard.
- 20. Every owner or occupier of a Premise shall ensure the following are maintained in Good Repair;
  - a. Fences and their structural members;
  - b. Structures and their structural members including:

- i. Foundations and foundation walls;
  - ii. Exterior walls and their components;
  - iii. Roofs;
  - iv. Windows and their casings;
  - v. Doors and their frames;
- c. Protective or decorative finishes of all exterior surfaces of a Structure or Fence; and
  - d. Exterior stairs, landings, porches, balconies and decks.
  - e. Vacant buildings must be secured at all times.

**Addressing**

- 21. The owner of a Premise on which a dwelling unit has been erected shall display the number assigned to the property at the location plainly visible from the street in front of the Premise to which the property is addressed. Minimum 3 inches in size.

**Light**

- 22. No owner or occupier of a Premise shall allow an outdoor light to shine directly into the living or sleeping areas of an adjacent dwelling house.

**Drones**

- 23. No owner or occupier of a Premise shall fly and operate drones below roof level of any dwelling other than their own, with the exception of agricultural lands.

**Graffiti Prevention and Abatement**

- 24. No person shall create or apply Graffiti on or to any;
  - a. Publically owned property or premises.

**Littering**

- 25. No person shall place, deposit, or throw any litter upon any:
  - a. Street;
  - b. Land;
  - c. Sidewalk;
  - d. Parking lots;
  - e. Recycle Centre
  - f. Park;
  - g. Playground;
  - h. Water course or;
  - i. Other public place
- 26. All private or general contractors shall during the construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent from blowing onto any other private or public property.

### **Storage on Village Property**

27. No person shall place, pile or store any material or equipment on Village owned property without first obtaining approval for such purpose from the C.A.O. for the Village of Cremona.

### **Noise**

28. Except to the extent permitted in the bylaw, no person shall make, continue to make, create, cause or allow to be created or caused or continued, any noise which by reason of its intensity, volume, or nature causes or is likely to cause some discomfort, annoyance or disturbance to other persons within the Village of Cremona at any time of the day or night.
29. Where any person is engaged in any recreational or other activity, occupation, project work, construction or endeavor which is not prohibited or regulated by other provisions of this Bylaw or any other Bylaw of the Village or by any Provincial or Federal Statute or Regulation, and such recreational or other activity, occupation, project, work, construction or endeavor creates or makes a sound which:
  - a. Is or may become, or
  - b. Creates or produces or may create produce

a disturbance, or annoyance to other residents of the village or to occupants of adjoining properties, a person engaged in such recreational or other activity, occupation, project, work construction or endeavor shall conduct the same in such a manner as will create as little of such sound as practicable under the circumstances.

### **Construction Noises**

30. Unless permission from the development officer of the village for such operation is first obtained:
  - a. No person shall carry on the construction of any type of structure which involves hammering, sawing or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on in any district other than on designated in the Land Use Bylaw as an industrial district, after the hour of ten o'clock (10:00 p.m.) in the evening and before the hour of seven o'clock (7:00 a.m.) in the morning any day.
  - b. No person shall operate, permit any other person to operate, within the village a vehicle which produces a noise.
  - c. No person shall operate, or permit any other person to cause, within the village, between the hours of 10:00 p.m. and 7:00 a.m. a construction noise, except as specifically provided for.
  - d. No person shall cause, or permit any other person to cause, within the village a residential noise.

- e. Notwithstanding anything contained in this Bylaw, this bylaw does not apply to work carried on by the village or by a contractor carrying out the instructions of the village to meet an emergency.

### **Farm Animals**

- 31. Other than urban chickens, no farm animals are permitted in any area of the village except for those lands zoned as Urban Reserve in which three (3) animals shall be allowed. Any more than three (3) animals must be approved by the Municipal Planning Commission.
- 32. In an Urban Area, no person shall:
  - a. Keep a Rooster;
  - b. Keep a Hen, other than an Urban Chicken.

### **Keeping of Urban Chickens**

- 33. A person who keeps Urban Chickens must:
  - a. Register with the Village for the keeping of Urban Chickens;
  - b. Provide each Hen with at least 0.37 m<sup>2</sup> of interior floor area, and at least 0.92 m<sup>2</sup> of Outdoor Enclosure, within the Coop;
  - c. Provide and maintain in the coop, at least one nest box per coop and one perch per Hen,;
  - d. Keep each Hen in the Coop at all times;
- 34. Owners of chickens in the village must prohibit the animals from making any noise which may cause a disturbance to their neighbours as laid out in section 28 and 29 of this bylaw.
- 35. Farm animals must be cared for in a manner that meets all provincial and federal regulations for that particular type of animal.
- 36. Manure and other odorous materials must be removed on a regular basis and handled in such a manner that smell does not cause discomfort to the neighbours and or anyone else using the area surrounding the premises.
- 37. The Bylaw Officer has the right to enter the premises to inspect the coop at any time.

### **Remedial Orders and Appeals**

- 38. Every Remedial Order written with respect to this Bylaw must:
  - a. Indicate the Person to whom it is directed;
  - b. Identify the property to which the Remedial Order related by municipal address or legal description;
  - c. Identify the date that is issued;
  - d. Identify how the Premise fails to comply with this or another bylaw;
  - e. Identify the specific provision of the Bylaw the Premise contravenes;

- f. Identify the nature of the remedial action required to be taken to bring the Premise into compliance;
  - g. Identify the time within which the remedial action must be completed.
  - h. Indicate that if the required remedial action is not completed within the time specified, the Village may take whatever action or measures are necessary to remedy the contravention;
  - i. Indicate that any expenses and costs plus 10% administration fee of any action or measures taken by the Village under this Section are an amount owing to the Village by the Person to whom the order is directed;
  - j. Indicated that the expenses and costs referred to in this Section may be attached to the tax roll of the property if such costs are not paid by the specified time;
  - k. Indicate that an appeal lies from the Remedial Order to the Village Council, if a notice of appeal is filed in writing with the Chief Administrative Officer within seven days of the receipt of the Remedial Order.
39. Every Person who fails to comply with a Remedial Order issued pursuant to this Bylaw within the time set out in the Remedial Order commits an offence.

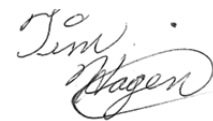
**Enforcement**

- 40. Any person who contravenes any provision of this Bylaw by:
  - a. Doing any act which the Person is prohibited from doing; or
  - b. Failing to do any act the Person is required to do: is guilty of an offence.
- 41. All fines for contravention of this Bylaw are outlined in Schedule A of this bylaw.
- 42. This bylaw repeals Nuisance 340-00 and Noise Bylaw 350-01.
- 43. This bylaw shall come in force and effect on the final date of passing thereof.

READ A FIRST TIME THIS 17 TH DAY OF OCTOBER A.D., 2017

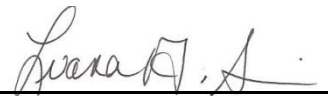
READ A SECOND TIME THIS 17 TH DAY OF OCTOBER A.D., 2017

READ A THIRD AND FINAL TIME THIS 17 TH DAY OF OCTOBER A.D., 2017




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**Tim Hagen, Mayor**




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**Luana Smith, CAO**



**SCHEDULE A**

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<b>Offence</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> &amp; Subsequent</b>
Untidy Properties	\$100.00	\$250.00	\$400.00
Nuisances Escaping Property	\$100.00	\$250.00	\$400.00
Maintenance of building structures & fences	\$100.00	\$250.00	\$500.00
Graffiti Prevention & Abatement	\$100.00	\$250.00	\$500.00
Weeds Grass, Trees & Sidewalks	\$100.00	\$250.00	\$300.00

Pursuant to Section 566(1) of the Municipal Government Act, a Personal who is guilty of such an offence is liable.

- a. To fine of not more than \$10,000; or
- b. To imprisonment for not more than one year, or both fine and imprisonment