



## Bylaw #2025-07 Community Standards

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### BEING A BYLAW OF THE TOWN OF THORSBY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF PROMOTING SAFE, ENJOYABLE, AND REASONABLE USE OF PROPERTIES.

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- WHEREAS:** Section 7 of the Municipal Government Act RSA 2000, Chapter M-2 and amendments thereto authorizes a municipality to pass bylaws respecting the safety, health and welfare of people and protection of people and property;
- AND WHEREAS:** The Municipal Government Act authorizes a municipality to pass bylaws respecting nuisances, including unsightly property;
- AND WHEREAS:** The Municipal Government Act authorizes a municipality to pass bylaws regarding the remedying of contraventions of bylaws;
- AND WHEREAS:** It is desirable for regulations which affect neighbourhood livability to be located, as much as possible, in one bylaw;
- NOW THEREFORE:** The Municipal Council of the Town of Thorsby, in the Province of Alberta, duly assembled, enacts as follows:

#### PART I – TITLE

1. This Bylaw may be cited as the “Community Standards” Bylaw.

#### PART II - DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:
  - a. **“Alberta Fire Code”** means the Alberta Fire Code 2006, passed pursuant to Alberta Regulation 11812007, as amended;
  - b. **“Ambient Sound Level”** means the Sound Level measured at a Point of Reception which excludes the noise generated by an activity with respect to which a complaint about noise has been made;
  - c. **“Automobile Parts”** includes, but is not limited to, any vehicle part or collection of vehicle parts, or one or more vehicles that are dilapidated, derelict, or not in operable condition;
  - d. **“Boulevard”** means that portion of the street which lies between the roadway and the front property line of the land abutting said street;
  - e. **“Building”** means a structure with a roof and walls, such as a house, shed, storage shed, sea can, school, store, or factory.
  - f. **“Bylaw Enforcement Officer”** means an individual appointed pursuant to Bylaw #2017-04 of the Town of Thorsby as Bylaw Enforcement Officer, including a Contract Bylaw Enforcement Officer;
  - g. **“CAO”** means the Chief Administrative Officer as appointed by Council;
  - h. **“Commercial District”** means a commercial district as defined in Land Use Bylaw #2025-05;
  - i. **“Community Peace Officer”** or **“Officer”** means an Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, R.S.A 2000, c. M-26, under the Peace Officer Act, R.S.A 2006, c. 9-3.5;
  - j. **“Composting”** means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a useable soil container;
  - k. **“Construction”** means the temporary process of demolishing or building any Structure, or repairing or improving a structure that already exists, including landscaping, home repair, property improvement, and any work in connection with that process;
  - l. **“Continuous Sound”** means any sound level that occurs:
    - i. For a duration of more than three (3) minutes
    - ii. Sporadically for a total of more than three (3) minutes, in any continuous fifteen (15) minute time period;



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- m. **“Council”** means the Council of the Town of Thorsby, duly elected;
- n. **“Daytime”** means the period:
  - i. Beginning at 7:00 A.M. and ending at 10:00 P.M. of the same day on Weekdays;  
or
  - ii. Beginning at 9:00 A.M. and ending at 10:00 P.M. of the same day on a Weekend;
- o. **“Derelict Vehicle”** means any disassembled, wrecked, unlicensed, or unregistered or inoperable motor vehicle and includes but is not limited to cars, trucks, trailers, boats, recreational vehicles, off highway vehicles, motorcycles, aircraft, and any other similar type of vehicle;
- p. **“Development Authority”** means the person, commission, or organization authorized to exercise development powers and perform duties on behalf of the Town.
- q. **“Driveway”** means an area that provides vehicle access from a public or private roadway to a garage or parking area located on privately owned property;
- r. **“Electronic Device”** means any device or mechanism which is operated by the application of electric current, and without restricting the generality of the foregoing, includes any radio receiver, radio transmitter, record, or tape player or device which produces recorded sound, television set, amplifier, and loud speaker system, public address system, alarm, or siren;
- s. **“Explosives Act”** means the Explosives Act, R.S.C. 1985, c E-17, as amended and any regulations thereunder;
- t. **“Fees and Services Bylaw”** means the current Fees and Services Bylaw as duly passed by Council, which may be amended from time to time;
- u. **“Fire Bylaw”** means the Burning and Fireworks Bylaw #2024-10, duly passed by Council;
- v. **“Fence”** includes any privately-built fence and any developer-built community fence;
- w. **“Garbage Truck”** means any vehicle equipped for transporting refuse or any vehicle equipped to load, unload, and transport containers for handling refuse;
- x. **“Garden”** means:
  - i. An area of landscaped land; or
  - ii. A container, in which flowers, vegetables, fruits, shrubs, vines, or herbs are cultivated;
- y. **“Good Repair”** means a condition where something is free from:
  - i. Broken, missing, or fallen parts; or
  - ii. Rot or other significant deterioration; or
  - iii. Openings which are not secured against trespassers or infiltration or air and precipitation;
- z. **“Graffiti”** means the unauthorized writing, drawing, or posting on a publicly visible surface containing material, words, or images that may be considered offensive by members of the public. Graffiti does NOT include the placement of non-offensive artwork on a property with the consent of the property owner.
- aa. **“Lane”** means a right-of-way, which provides a secondary means of access to a lot;
- bb. **“Municipal Government Act”** means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended and any regulations thereunder;
- cc. **“Nighttime”** means the period beginning at 10:00 P.M. and ending the following day at:
  - i. 7:00 A.M. if the following day is a Weekday; or
  - ii. 9:00 A.M. if the following day is a Weekend;
- dd. **“Noise”** means any sound which is, or considered to be sharp, piercing, shrill, explosive, unnecessarily loud, or persistent and/or annoying, but shall not include a sound intended to warn persons of danger or emergency;
- ee. **“Non-Continuous Sound”** means any Sound Level that is not a Continuous Sound measured with a Sound Level Meter;
- ff. **“Non-Residential Development”** means any land or building that is not a Residential Development or Residential Building;
- gg. **“Nuisance”** means any act or deed, or omission, or thing which is or could be reasonably expected to be annoying, troublesome, destructive, harmful, inconvenient, or injurious to another person/and or their property;
- hh. **“Occupant”** means the person authorized to occupy a property including, but not limited to, leasers and renters or persons visiting leasers or renters.
- ii. **“Order to Remedy”** or **“Remedial Order”** or **“Order”** means a formal directive issued by a municipality, often related to bylaw violations, requiring a person or entity to correct a situation or take action to comply with an Act or Bylaw;

- jj. **“Owner”** means any person registered as the owner of the property per Alberta Land Titles reflected on the tax roll, person who has purchased or otherwise acquired the property, person holding themselves out as the person having power and authority of ownership of the property, or a person controlling the property under construction, and includes a corporation, an individual and their heirs, executors, administrators, or other legal representatives of an individual.
- kk. **“Parking Area”** means any portion of a lot that is used for short-term or long-term parking of any type of motor vehicle, recreational vehicle, boat, or trailer.
- ll. **“Person”** means an individual human being or a corporation and includes a partnership, association, or a group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires;
- mm. **“Power Tool”** includes any tool powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity, or fossil fuel;
- nn. **“Premises”** means any land, building, or property within the municipal boundaries of the Town of Thorsby, and shall include any boulevards, sidewalks, curbs, street frontages, and back alleys adjoining a particular land, building, or property.
- oo. **“Property”** means anything owned by a person, whether in whole or in part, and also includes real property;
- pp. **“Real Property”** means any land and/or buildings whether occupied or not;
- qq. **“Residential Development”** means any land which is the site of a residential building and is designated as one of the following land use districts:
  - i. A residential district; or
  - ii. A direct control district pursuant to Bylaw #2024-05, the Land Use Bylaw, where the applicable land use allows a use which is residential; or
  - iii. Any other land use district pursuant to Bylaw #2025-05, the Land Use Bylaw which allows residential uses;
- rr. **“Residential District”** means a residential district as defined in Bylaw #2025-05, the Land Use Bylaw;
- ss. **“Rubbish”** or **“Garbage”** may include, but are not limited to, any paper product, fabric, wood, plastic, glass, metal, and/or any matter or substance of any kind which has been discarded, abandoned, or in any way disposed of;
- tt. **“Sidewalk”** means the portion of a paved sidewalk, walkway, or pathway that abuts a property, and includes the portion of a driveway or entryway between two portions of a sidewalk;
- uu. **“Signalling Device”** means any device that produces an audible sound used for the purpose of drawing an individual’s attention, including a horn, gong, bell, klaxon, or public address system;
- vv. **“Town”** means the municipal corporation of the Town of Thorsby, and includes the geographical area within the boundaries of the Town of Thorsby where the context requires so;
- ww. **“Untidy”** or **“Unightly”** means any property or part of it on which is litter, rubbish, household materials (appliance, furniture, plumbing /heating/electrical supplies, etc.), household materials (clothing, suitcases, unfinished structures, building/construction materials (laminated osb, plywood, used disassembled structure material/ fencing, etc.), landscape materials, piles of shrubs/ brush/ trees, dirt, clay, etc., which causes the property or any part of it to look untidy or unsightly;
- xx. **“Violation Ticket”** means a ticket issued pursuant to Part II of the Provincial Offenses Procedure Act, R.S.A. 2000, c. P-34, as amended;
- yy. **“Weeds”** means any plant that is designated in the Weed Control Act of Alberta as “restricted”, “noxious”, or “nuisance” and shall include any fungus which may be destructive or injurious to gardens, lawns, trees, or shrubs;
- zz. **“Weekday”** means Monday through Friday, inclusive unless it falls on a holiday, as defined in the Interpretation Act, R.S.A. 2000, c. I-8, as amended or replaced from time to time; (51M2016, 2016 December 14);
- aaa. **“Weekend”** means Saturday and Sunday, any other holiday, as defined in the Interpretation Act, R.S.A. 2000, c. I-8, as amended or replaced from time to time; (51M2016, 2016 December 14);
- bbb. **“Work Forces”** includes employees of the Town and Persons under contract to the Town.



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ccc. "Yard" means the area surrounding a private dwelling house or building and includes the front, back, and side yards, as well as the driveway.

### PART III – INTERPRETATION

3. Each provision of this Bylaw is independent of all other provisions, and if any provision is declared invalid for any reason by a Court of competent jurisdiction all other provisions of this Bylaw remain valid and enforceable.
4. Nothing in this Bylaw relieves a person from complying with the provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order, or license.
5. Any heading, subheading, or tables of content in this Bylaw are included only for convenience and shall not form part of this Bylaw.
6. 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 therefor.
7. All Schedules attached to this bylaw shall form part of this bylaw as if they were integrated directly into the body of the Bylaw.
8. Nothing in this Bylaw forces or compels the Town of Thorsby, its employees or agents, to enforce every breach of this Bylaw. The Town may take into consideration any practical concerns, including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations, or the availability of personnel or human resources.

### PART IV – GENERAL AUTHORITY

9. The Chief Administrative Officer is hereby delegated the authority to:
  - 9.1 Carry out any inspections to determine compliance with this bylaw;
  - 9.2 Take any steps or carry out any actions required to enforce this bylaw;
  - 9.3 Take any steps or carry out any actions required to remedy any contravention of this bylaw;
  - 9.4 Establish investigation and enforcement procedures with respect to any contravention of this bylaw;
  - 9.5 Establish forms for the purpose of this bylaw;
  - 9.6 Issue permits with such terms and conditions as are deemed appropriate;
  - 9.7 Delegate, Bylaw Officer or any Peace Officer (including Police and/or Sheriffs), any powers, duties, or functions under this bylaw.

### PART V – PROPERTY MAINTENANCE

10. No person shall cause or permit to be caused an Unsightly Condition to exist on land that they own or occupy.
11. For greater clarity, Part Five (V) applies to both land that is developed and land that is vacant.
12. For the purpose of greater certainty, an unsightly condition with respect of land means a condition that, in the in the opinion of the CAO, Delegate, Bylaw Officer or Peace Officer (including Police or Sheriff), indicates a serious disregard for general maintenance and upkeep, whether or not the condition is detrimental to the surrounding area, some examples which include but are not limited to the following:
  - 12.1 The excessive accumulation on the premises of landscaping materials (dirt, soil, gravel, rocks), industrial fluid including engine oil, petroleum products, brake fluid, or antifreeze whether open and exposed or not, hazardous materials, broken household chattels or goods, building material;

- 12.2 Any Graffiti displayed on the premises, or any item on the premises, that is visible from any surrounding property or public place including but not limited to a fence, vehicle(s), garbage bins, containers, or driveways;
- 12.3 Any loose litter, garbage, or refuse whether located in a storage area, collection area, or elsewhere on the land;
- 12.4 Storage of an inoperable, damaged, dismantled, or derelict vehicle(s), equipment (including household appliances) or parts thereof, whether insured or not;
- 12.5 Parking or storage of a vehicle, recreational vehicle, trailer, or boat wholly or partially on the turf, lawn, or dirt of the front, side, or rear yards of a property;
  - 12.5.1 No parked or stored vehicles, recreational vehicles, trailers, or boats are permitted for occupation uses in any land use designation.
- 12.6 Storage of household furniture and items including but not limited to couches, loveseats, desks, chairs, lamps, and tables;
- 12.7 Excessively damaged or non-structurally sound fence or retaining walls;
- 12.8 Ponding of water in any receptacle so as to create an environment for the breeding of mosquitos;
- 12.9 Any material that creates unpleasant odors;
- 12.10 Any material likely to attract pests;
- 12.11 Accumulation of animal or human excrement, sewage, and/or the whole or part of an animal carcass;
- 12.12 Any refrigerator, freezer, or other similar appliance;
- 12.13 Any waste bin that is not:
  - 12.13.1 Equipped with a lid or cover capable of completely covering the waste bin;
  - 12.13.2 Kept closed or covered at all times except for the actual loading and unloading of waste; and
  - 12.13.3 Containing only material that will not emit odour or will not be blown out of the bin.

#### **Remediation**

- 13. Contravention of Part Five (V) of this Bylaw may or will result in a remedial order being issued to the offending property owner with the following conditions:
  - 13.1 When an order has been issued, a person has twenty-one (21) days to comply from the date the Remedial order was sent or given, or the town will come in and execute the remedial order conditions at the landowner's expense.
  - 13.2 The order will also state three (3) future dates with which the current infraction must be maintained.
  - 13.3 If any of the three (3) future dates on the remedial order are not complied with, the town will come in and execute the remedial order conditions at the owners expense the earliest following day of each date.
  - 13.4 All remedial order costs are billed out at the rate of the contractor hired by the Town of Thorsby.
  - 13.5 If the landowner is unwilling to pay the costs within thirty (30) days of invoice date, the outstanding balance will be placed on the landowner's tax roll.

#### **Exceptions**

- 14. This part shall not be construed as to prevent the accumulation or storage of materials that would normally be associated with the operation of a business (operating in accordance with the Land Use Bylaw), such as a recycling depot, landfill, auto wrecker, junk yard, or any other similar business where a need exists and the appropriate permits have been issued. However, this does not relieve any business or person(s) of ensuring that building materials are stacked or sorted in an orderly manner.
- 15. Despite anything in this part, it shall not be an offense to store a small amount of neatly stacked or stored materials on a premises for basic property maintenance.

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**PART VI – WEEDS AND GRASS**

16. The definitions found in the Weed Control Act, S.A. 2008, c. W-5.1 shall apply to this section.
17. Nothing in this section relieves a person from complying with the Weed Control Act, or the Weed Control Regulation AR 19/2010.
18. Pursuant to Section 26 of the Weed Control Act, for the purposes of the Act, a person is the landowner or occupant of the highway to the highway's midpoint to the extent that the person is the owner or occupier of the land that borders the highway.
19. For greater clarity, Part Six (VI) applies to both land that is developed and land that is vacant.

**Weed Inspectors**

20. The Chief Administrative Officer may designate or appoint Weed Inspectors pursuant to subsection 7(1) of the Weed Control Act to enforce the Act.

**Regulation**

21. No owner or occupier of a premises shall allow grass or other herbaceous plants on the premises to exceed a height of 15 centimeters (5.9 inches);
  - 21.1 For residential properties, this includes the front of a property to the boulevards, rear of the property to the alley, and side of the property to a street curb (as it applies).
22. The landowner or occupier of a premises shall:
  - 22.1 Eradicate or control any weeds growing on their property such to prevent propagation and the spreading from such plants or weeds of any seeds, roots, rhizomes, or spores to the property of other persons.
  - 22.2 Remove or prune any shrub or tree owned by them which is, or could be:
    - 22.2.1 Obstructing or interfering with any public work or utility;
    - 22.2.2 Obstructing a sidewalk, highway, or alleyway adjacent to the land, or;
    - 22.2.3 Impairs the visibility required for safe traffic flow adjacent to the land, including but not limited to obstructing a traffic control device such as a stop sign, yield sign, street sign, traffic light, or similar device.
  - 22.3 Cut or mow the grass on any boulevard or street, situated on Town of Thorsby owned land adjoining, or abutting adjacent to property owned or occupied by them, to prevent such grass from growing to such a height as to be untidy or unsightly, having regard to the height of the grass on adjacent or surrounding property.
  - 22.4 Remove from such property any dead grass, brush, or rubbish which may be untidy or unsightly, or may harbor vermin or pests thereon.

**Remediation**

23. Contravention of the Weed Control Act or Part 6 of this Bylaw may or will result in a remedial order being issued to the offending property owner with the following conditions:
  - 23.1 When a weed/grass order has been issued, a person has twenty-one (21) days to comply from the date the Remedial order was sent or given, or the town will come in and execute the remedial order conditions at the landowner's expense.
  - 23.2 The weed/grass order will also state three (3) future dates with which the current infraction must be maintained.
  - 23.3 If any of the three (3) future dates on the remedial order are not complied with, the town will come in and execute the remedial order conditions at the owner's expense at the earliest following day of each date.
  - 23.4 All remedial order costs are billed out at the rate of the contractor hired by the Town of Thorsby.
  - 23.5 If the landowner is unwilling to pay the costs within thirty (30) days of invoice date, the outstanding balance will be placed on the landowner's tax roll.



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### Exceptions

24. Part Six (VI) shall not apply to:
- 24.1 Golf courses;
  - 24.2 Maintained gardens;
  - 24.3 Parks and natural areas under the direction and control of Thorsby Public Works; or
  - 24.4 Areas under the direction and control of Thorsby roads including boulevards adjacent to major roadways, areas subject to naturalization efforts and sound attenuation berms; and for greater certainty, 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, lane, or alley.

### **PART VII – SNOW AND ICE REMOVAL**

25. A person who owns or occupies land shall not permit snow or ice to remain for more than 48 hours after a snowfall to remain on any public sidewalk adjoining or adjacent to the land the person owns or occupies. For greater certainty, it shall be the responsibility of the landowner or occupant to remove all snow or ice present on a public sidewalk adjoining or adjacent to their land no later than 48 hours after such snow or ice accumulates on the sidewalk.
26. No person shall remove snow or ice from any sidewalk or property by causing such material to be placed:
- 26.1 Upon any town property, including but not limited to any drainage ditch, culvert end, catch basin, road, or any highway other than the boulevard adjacent to the land the person owns or occupies;
  - 26.2 On any fire hydrant or on the area adjacent to a fire hydrant which in any way blocks access to, or prevents operation of or restricts visibility of the hydrant; or
  - 26.3 On any other person's property without their consent.
27. Notwithstanding Section 26, where any portion of a building abuts a public sidewalk, a person may clear snow or ice onto the roadway, but only in a manner so as to avoid causing a dangerous roadway condition or obstruction.

### Remediation

28. Contravention of Part 7 of this Bylaw may or will result in a remedial order being issued to the offending property owner with the following conditions:
- 28.1 When a snow/ice removal order has been issued, a person has seventy-two hours (72) to comply from the date the remedial order was sent or given, or the town will come in and execute the remedial order conditions at the landowner's expense.
  - 28.2 All remedial order costs are billed out at the rate of the contractor hired by the Town of Thorsby.
  - 28.3 If the landowner is unwilling to pay the costs within thirty (30) days of invoice date, the outstanding balance will be placed on the landowners tax roll.

### **PART VIII – STREETS, ALLEYS, AND/OR LANES**

29. Regarding all refuse, litter, garbage, or other materials that could be constituted as environmentally harmful, negligent, or unsightly, no person shall:
- 29.1 Except in a designated receptacle, dispose of litter, refuse, or garbage on any portion of a street.
  - 29.2 Except in a designated receptacle, dispose of any litter, refuse, or garbage on any portion of a street from a vehicle.
  - 29.3 Dispose of burning litter, refuse, or garbage on any portion of a street.
30. If a vehicle is involved in any offence referred to in Subsection (29.2), the owner of that vehicle is guilty of an offence.



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- 30.1 Subsection 29.2 does not apply if the owner of the vehicle satisfies the Court that the owner was not in control of the vehicle, and that the person having control of the vehicle at the time of the offence had control of the vehicle without the owner's express or implied consent.
31. No person shall place or allow to be placed, an electrical cord, hose, chain, or any other similar obstruction over or across any portion of a street.
32. Except to the extent specified in and subject to the conditions of a Bin Permit signed by the Chief Administrative Officer, pursuant to the Fees and Services Bylaw, no person shall:
- 32.1 Have large industrial dumpsters or waste receptacles on any street abutting any property.
33. No person shall place, dispose, direct, or allow to be placed, directed, or disposed, any material belonging to that person or over which that person exercises control on a portion of a street unless authorized to do so:
- 33.1 By the Chief Administrative Officer or their designate;  
33.2 By the Department of Public Works pursuant to this Bylaw; or  
33.3 By any other Bylaw.
34. Notwithstanding Section 33, sand, gravel, salt, or calcium chloride placed upon icy portions of a street to reduce the danger of slippery conditions shall be allowed under this Bylaw.
35. A landowner shall ensure that material on their property or on property in their control is stored, placed, or disposed of in such a way that the material does not enter onto the street by any means, including natural forces.
36. No person shall store, place, or dispose of any material in such a way that it may enter onto the street by any means including natural forces.
37. A person authorized under permit to develop private or public land adjacent to a street, or the general contractor or other person acting on behalf of such person, shall not allow mud, dirt, or other construction debris to be tracked by motor vehicles from said lands onto a street.
38. A general contractor or other person acting on behalf of a business or company that deals in garbage, recycling, or organic waste collection shall ensure that no loose debris, refuse, litter, or other materials are left or scattered upon any lane, street, or roadway.

### **PART IX – BUILDINGS, STRUCTURES, AND FENCES**

#### **Buildings**

39. A person shall not cause or permit to be caused a nuisance to exist in respect of any building or property they own or occupy.
40. For the purpose of greater clarity, a nuisance in respect of a building means a condition that, in the opinion of a Peace Officer, indicates a serious disregard for general maintenance and upkeep, whether or not the condition is detrimental to the surrounding area, some examples of which include, but are not limited to:
- 40.1 Any damage to a building;  
40.2 Any Graffiti displayed on the building that is visible from any surrounding property or public place;  
40.3 Any excessive rot or other deterioration within the building;  
40.4 Any peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the building; and  
40.5 Snow or ice accumulation on the structure's roof, eaves, or awnings such that may cause a danger to the public.



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### Unoccupied Buildings

41. A person shall ensure any unoccupied building(s) is adequately secured in a manner which prevents unauthorized access.
42. For the purpose of greater clarity, adequately secured in respect of an unoccupied building means that, in the opinion of a Peace Officer, any and all door and window openings, and any other openings in the building are securely closed with a solid piece of wood or other suitable material that must be:
  - 42.1 Installed from the exterior and fitted within the frame of the opening in a watertight manner;
  - 42.2 Of a thickness sufficient to prevent unauthorized entry into the building;
  - 42.3 Affixed in a manner sufficient to prevent unauthorized entry into the building;
  - 42.4 Coated with an opaque protective finish that matches or complements the existing exterior finish in a manner that is not detrimental to the surrounding area.

### Fences and Structures

43. Every owner or occupier of a premises shall ensure the following are maintained in good repair:
  - 43.1 Fences and their structural members;
  - 43.2 Structures and their structural members, including:
    - 43.2.1 Foundations and foundation walls;
    - 43.2.2 Exterior walls and their components;
    - 43.2.3 Roofs;
    - 43.2.4 Windows and their casings;
    - 43.2.5 Doors and their frames;
  - 43.3 Protective decorative finishes of all exterior surfaces of a structure or fence; and
  - 43.4 Exterior stairs, landings, porches, balconies, and decks.

## **PART X – NUISANCES ESCAPING PROPERTIES**

### Water, Eavestroughs, and Downspouts

44. No owner or occupier of a premises shall allow a flow of water from a hose or similar device on the premises to be directed towards an adjacent premises, if it is likely that the water from the hose or similar device will enter the adjacent premises.
45. An owner or occupier of a premises shall direct any rainwater downspout or eavestrough on the premises towards:
  - 45.1 The front of the premises;
  - 45.2 The rear of the premises;
  - 45.3 A side yard which does not abut another premises; or
  - 45.4 A side yard which abuts another premises only if there is a minimum of six (6) metres of permeable ground between the outfall of the downspout or eavestrough and the adjacent premises.
46. No owner or occupant of a property shall allow a flow of water from a hose or similar device, rain water, downspout, or eavestrough to be directed over a public sidewalk so as to be a hazard to any person.

### Smoke and Dust

47. A person shall not engage in any activity that is likely to allow smoke, dust, or other airborne matter that may disturb any other person to escape the premises without taking reasonable precautions to ensure that the smoke, dust, or other airborne matter does not escape the premises.



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### Light

48. No owner or occupier of a premises shall allow an outdoor light to shine directly into the living or sleeping areas of an adjacent dwelling house unless the outdoor light is permitted or required pursuant to the Land Use Bylaw, a development permit, or other similar approval.
49. No owner or occupant of a property shall allow outdoor lighting on their property to shine in a manner that would interfere with traffic safety on any roadway.

### **PART XI – GRAFFITI**

50. No person shall place Graffiti, or cause Graffiti to be placed, on any public or private property including any wall, fence, building, driveway, or other structure or thing:
  - 50.1 In any street, lane, or other public place;
  - 50.2 On private property adjacent to a street or other public place.
51. No owner or occupant of a property shall allow graffiti to exist on any building or other structure located on their property and adjacent to a street or other public place, for more than fourteen (14) days of it being placed.

### **PART XII – FLYERS**

52. No person shall deposit commercial flyers/private flyers and/or advertisements on power poles, light standards, municipal trees, benches, flower containers, garbage cans, sign posts, or other municipal, provincial, or federal properties, unless approval to carry out such activities has been given by the Chief Administrative Officer or their delegate.
53. No distributor shall distribute or cause to be distributed flyers for the purpose of depositing them at or on a premises where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such flyers are unwanted.

### Exceptions

54. Section 53 does not apply to:
  - 54.1 Any election advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial, or municipal legislation;
  - 54.2 Newspapers delivered to paid subscribers;
  - 54.3 Community association newsletters or newspapers;
  - 54.4 Information circulars produced by a federal, provincial, or municipal government or an agency of such government;
  - 54.5 Information circulars produced by a member of Thorsby Town Council, a member of the Alberta Legislative Assembly, or a member of the federal parliament.

### **PART XIII – NOISE REGULATION**

55. This part does not purport to regulate the cumulative effect of noise created by vehicular traffic on roads, or aeronautical related activities of aircraft.
56. In determining whether noise is likely to annoy or disturb the peace of another person, a Peace Officer or CAO may consider:
  - 56.1 The type, volume, and duration of the noise;
  - 56.2 The time of day and day of the week;
  - 56.3 Nature and use of the surrounding area;
  - 56.4 If the noise is excessive, unnecessary, or unusual.



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57. No person shall cause or allow noise to emanate from a property they own or occupy that annoys or disturbs the peace of another person during the Nighttime without the written permission of the CAO or the Peace Officer.

### **Construction Noise**

58. No owner or occupant of a property in a residential district as designated in the Land Use Bylaw shall cause or permit any construction activity on the Property which creates a noise that annoys or disturbs the peace of any other person during Nighttime on any Weekday or Weekend.

### **Exceptions**

59. The CAO may issue a permit, on whatever conditions the CAO considers appropriate, authorizing the production of noise in a manner, or of a type, that would otherwise contravene Part 13 (XIII).
60. Nothing in Part 13 (XIII) prohibits:
- 60.1 An employee or authorized agent of the Municipality from producing noise while acting within the scope of their functions, duties, or powers;
  - 60.2 The production of noise in accordance with a permit granted pursuant to Section 59; or
  - 60.3 Any activity that is carried out in accordance with a validly issued development permit issued by the Municipality or an activity that constitutes a legal non-conforming use for which no development permit is required pursuant to the provisions of the Municipal Government Act.

## **PART XIV – ENFORCEMENT**

61. If the Chief Administrative Officer or a Peace Officer finds that an owner and/or occupant has contravened any section of this bylaw, the Peace Officer may issue a written Order to Remedy in accordance with the provisions of the Municipal Government Act.
62. In accordance with conditions contained in the Municipal Government Act, a Peace Officer may enter onto or into any property within the Town for the purposes of enforcing this Bylaw.
63. Where an owner has failed to comply with an order, the Town may rectify the situation. Any work done by the Town or its contractors shall be a debt due or owing to the Town, and will be applied to the property's taxes if not paid within thirty (30) days.

### **Appealing an Order**

64. A person who receives an order may, by written notice to the attention of the CAO or their designate, appeal the order to Council in accordance with the Municipal Government Act.
65. Council shall conduct a hearing during a Regular Meeting of Council within thirty (30) calendar days following receipt date of the written notice of appeal. If the repeal request is received less than seven (7) business days prior to the soonest Regular Meeting, it will be considered short notice, and the hearing will be conducted at the next Regular Meeting.
66. Within fourteen (14) days of the hearing, Council shall render its decision in writing to:
- 66.1 Uphold the Order;
  - 66.2 Uphold the Order with modifications and/or additions to the requirements of the Order;
  - or
  - 66.3 Quash the Order.

### **Offences and Penalties**

67. Any person or corporation that contravenes this Bylaw is guilty of an offence.
68. When a corporation commits an offence under this bylaw, every principal, director, manager, employee, or agent of the corporate who authorized the act or omission that constitutes the



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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.

69. 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's exercising the powers or performing the duties on behalf of the person under their agency relationship.
70. Any person who willfully obstructs an Officer or assaults an Officer in the exercise or performance of their duties related to this Bylaw, with the intent to resist or prevent lawful inspections or enforcement, is guilty of an offence.

### **Violation Tickets and Penalties**

71. Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket pursuant to the Provincial Offences Procedures Act, R.S.A. 2000 c. P-24.

### **Municipal Tags**

72. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
73. A Municipal Tag may be issued to such person:
  - 73.1 Either personally; or
  - 73.2 By mailing a copy to such person at his or her last known post office address.
74. The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
  - 74.1 The name of the person;
  - 74.2 The offence;
  - 74.3 The specified penalty established by this Bylaw for the offence;
  - 74.4 That the penalty shall be paid within fourteen (14) days of the issuance of the Municipal Tag; and
  - 74.5 Any other information as may be required by the Chief Administrative Officer.

### **Fines for Offences**

75. A person who is guilty of an offence is liable:
  - 75.1 To a fine in an amount not less than that established in "Schedule A", or
  - 75.2 Upon summary conviction, to a fine not less than that prescribed in "Schedule A" and not exceeding Ten Thousand (\$10,000.00), or to imprisonment for no more than one year, or both.
76. The penalty for a second offence shall be double the fine amount as indicated in "Schedule A" of this Bylaw. For clarity, if a person is found guilty or makes fine payment for an offence, that person is subject to the fine amount for the second offence if that same person conducts the same offence at the same or another location.
77. The penalty for a third and subsequent offence shall be triple the fine amount as indicated in "Schedule A" of this Bylaw. For clarity, if a person is found guilty or makes fine payment for a second offence, that person is subject to the fine amount for the third (and subsequent) offence if that same person again conducts the offence at the same or another location.



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78. Payment of a fine constitutes an admission of guilt that may be used to seek the penalty for a second or third and subsequent offence, as applicable.

### Continuing Offence

79. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by the Bylaw for each such separate offence.

### Administrative Fee

80. Where the Town incurs costs to remedy a contravention of this Bylaw, an Administrative Fee will be applied per the Fees and Services Bylaw.

## **PART XV- REPEAL**

81. Upon third and final reading of Bylaw #2025-07, Bylaw #2016-18 and all amendments hereto are hereby repealed.

## **PART XVI – EFFECTIVE DATE**

82. This Bylaw shall come into force and have effect upon the third and final reading.

READ A FIRST TIME this 26<sup>th</sup> day of August, 2025

READ A SECOND TIME this 23<sup>rd</sup> day of September, 2025

READ A THIRD AND FINAL TIME this 23<sup>rd</sup> day of September, 2025

\_\_\_\_\_  
Darryl Hostyn, Mayor

\_\_\_\_\_  
Donna Tona, CAO



## Bylaw #2025-07 Community Standards

### SCHEDULE A – FINES FOR OFFENSE

Section No.	Description	Specified Penalty	Second Offence in the Same Calendar Year	Subsequent Offences in the Same Calendar Year
Part V (s. 10)	Unsightly premises or property.	\$200.00	\$400.00	\$800.00
Part VI (s. 21, 21.1)	Overgrowth of grass or other herbaceous plants.	\$200.00	\$400.00	\$800.00
Part VI (s. 22, 22.1-22.4)	Weed control eradication and control.	\$200.00	\$400.00	\$800.00
Part VII (s. 25, 26)	Snow and ice removal on public sidewalks.	\$200.00	\$400.00	\$800.00
Part VIII (s. 29, 29.1-29.3, 30)	Environmentally harmful, negligent, or unsightly disposal of refuse, litter, garbage, or other material.	\$250.00	\$500.00	\$1000.00
Part VIII (s. 31, 33, 35-38)	Material obstruction on public roadways.	\$250.00	\$500.00	\$1000.00
Part VIII (s. 32)	Unlicensed industrial dumpsters or waste receptacles on public roadways.	\$250.00	\$500.00	\$1000.00
Part IX (s. 39)	Nuisances in respect of any building or property.	\$200.00	\$400.00	\$800.00
Part IX (s. 41, 42, 42.1-42.4)	Inadequate securing of unoccupied building(s) to prevent unauthorized access.	\$200.00	\$400.00	\$800.00
Part IX (s. 43, 43.1-43.4)	Fence(s) and/or structure(s) in disrepair.	\$200.00	\$400.00	\$800.00
Part X (s. 44, 45, 45.1-45.4, 46)	Water flow causing a nuisance towards adjacent premises and/or public sidewalks and roadways.	\$200.00	\$400.00	\$800.00
Part X (s. 47)	Nuisance caused by smoke or dust.	\$200.00	\$400.00	\$800.00
Part X (s. 48, 49)	Outdoor lighting nuisances.	\$200.00	\$400.00	\$800.00
Part XI (s. 50, 50.1-50.2, 51)	Graffiti on public or private property.	\$200.00	\$400.00	\$800.00
Part XII (s. 52, 53)	Unauthorized flyer distribution and display.	\$200.00	\$400.00	\$800.00
Part XIII (s. 57, 58)	Noise nuisances.	\$200.00	\$400.00	\$800.00