

Section 4: Enforcement

4.1 General Provisions

- 4.1.1 A Designated Officer may enforce the provisions of the *Municipal Government Act* and its regulations, the conditions of a permit or subdivision approval, and this *Bylaw*. Enforcement may be by notice of violation, violation tags, stop orders, or any other authorized action to ensure compliance. (Bylaw 13-2003)

4.2 Prohibitions

- 4.2.1 No person shall contravene or permit a contravention of this *Bylaw*. No person shall commence or undertake a development, use, or sign that is not permitted by this *Bylaw*.
- 4.2.2 No person shall contravene a condition of a permit issued under this *Bylaw*.
- 4.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a Development Officer.

4.3 Right of Entry

- 4.3.1 After reasonable notice (generally to mean 48 hours notice) to the owner or occupant in accordance with the *Municipal Government Act*, a designated officer may enter property at reasonable times (generally to mean 7:30 AM to 10:00 PM) to ascertain if *Bylaw* requirements are being met.
- 4.3.2 A person shall not prevent or obstruct a designated officer from carrying out any official duty under this *Bylaw*. If consent is not given, Strathcona County may apply for an authorizing order.

4.4 Warning Notice

- 4.4.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures. (Bylaw 13-2003)

4.5 Offences and Fines

- 4.5.1 A person who violates the provisions of this *Bylaw* or permits a contravention of this *Bylaw*, is guilty of an offence and is liable to a fine for a first offence and for each subsequent offence as specified in the *Fees and Charges Bylaw*. If a fine payment is not made, the person is liable for imprisonment for not more than one year.

4.6 Violation Tags

- 4.6.1 In accordance with the *Provincial Offences Procedures Act*, a Designated Officer may issue a violation tag to a person for specific offences where there is reasonable and probable grounds to believe that there is a contravention of this *Bylaw*. (Bylaw 13-2003)

- 4.6.2 A violation tag may be issued to a person either personally or by registered mail.
- 4.6.3 The violation tag shall be in a form approved by Strathcona County and shall include the name of the person thought to have created the contravention, the offence, the penalty for the offence, a requirement that the penalty be paid within 30 days of issuance of the violation tag, the method by which the tag may be paid, and other information as may be required by Strathcona County.
- 4.6.4 Offences and related fines are as specified in the *Fees and Charges Bylaw*.
- 4.6.5 Where a contravention is of a continuing nature, further violation tags may be issued for each day the offence continues.
- 4.6.6 The person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location indicated on the violation tag.
- 4.6.7 If payment is not made within the time specified on the tag, a Designated Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket. **(Bylaw 13-2003)**
- 4.6.8 Nothing in this *Bylaw* shall prevent a Designated Officer from immediately using a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this *Bylaw*. **(Bylaw 13-2003)**

4.7 Stop Orders

- 4.7.1 On finding that a development, land use, or use of a building is not in conformance with the *Municipal Government Act* or its regulations, a development permit or subdivision approval or the conditions of either, or this *Bylaw*, a development authority may by written notice direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention to:
- a) stop the development or use of the land or building in whole or part as directed by the notice,
 - b) demolish, remove, or replace the development or landscaping, or
 - c) carry out any other actions required by the notice for compliance.
- 4.7.2 The notice shall specify a deadline for compliance.

4.8 Appeal of Stop Orders

- 4.8.1 A person named in a stop order may appeal to the Subdivision and Development Appeal Board.

4.9 Enforcement of Stop Orders

- 4.9.1 Subject to Section 542 of the *Municipal Government Act*, if a person fails to comply with the order of a Development Officer, a Bylaw Enforcement Officer, or the Subdivision and Development Appeal Board, a designated officer may enter on the land or building and take any action necessary to carry out the order.
- 4.9.2 Strathcona County may register a caveat against the certificate of title for the land that is subject to the order, provided that the caveat is discharged when the order has been complied with.
- 4.9.3 Strathcona County's costs of carrying out any actions required for compliance may be added to the tax roll of the land subject to the order.