

WHEREAS, under the provisions of the Municipal Government Act, C.M.26, RSA 2000, as amended, a Council has authority to pass a By-Law for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and people activities and things in, on or near a public place or place that is open to the public and nuisances;

NOW THEREFORE, the Municipal Council of the Town of Westlock, in the Province of Alberta, duly assembled, HEREBY ENACTS as follows:

- i. This By-Law may be cited as the "Town of Westlock Public Order By-Law".

SECTION 1.0 – DEFINITIONS

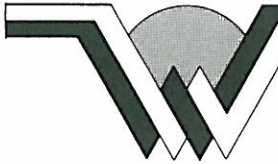
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|-----|-----------------------|--|
| 1.1 | 'Act' | means the Municipal Government Act, C.M.26, RSA 2000, and amendments thereto |
| 1.2 | 'Council' | means the Municipal Council of the Town of Westlock |
| 1.3 | 'Enforcement Officer' | means a Special Constable, Bylaw Enforcement Officer, a member of the Royal Canadian Mounted Police or any other person designated by the Town to enforce this Bylaw |
| 1.4 | 'Public Place' | means a street, sidewalk, lane, alley, park, school ground, business, facility or any public owned property within the Town and includes all places in which the public has reasonable access or a place in view of a public place |
| 1.5 | 'Town' | means the Municipal Corporation of the Town of Westlock in the Province of Alberta |
| 1.6 | 'Unightly' | means when a property because of its condition or appearance becomes detrimental to the use, enjoyment or value of the surrounding area or surrounding properties |

SECTION 2.0 – GENERAL PROVISIONS

- 2.1 No person shall yell, scream, or utter profane or obscene words in any public place.
- 2.2 No person shall use blasphemous, abusive or grossly insulting language, or sing or shout in a boisterous manner as to create a disturbance in any public place.
- 2.3 No person shall urinate or defecate in a public place other than in a washroom designated for use by the public.

SECTION 3.0 FIGHTING, LOITERING, ASSEMBLY OF PERSONS

- 3.1 No person shall participate in a fight or other similar physical confrontation in any public place.
- 3.2 No person shall be a member of an assembly of three or more persons in any public place where an Enforcement Officer has reasonable probable grounds to believe the assembly will disturb the peace of the neighbourhood, and any such persons shall disperse as requested by the peace officer immediately.
- 3.3 No person shall loiter and thereby obstruct or create a nuisance with any other person in any public place.



SECTION 4.0 - PROJECTILES

- 4.1 No person shall cast, project or throw any stones or balls of snow or ice or other missiles or objects in any manner in a public place, which may be dangerous to the public.
- 4.2 No person shall use any bow or arrow, catapult or other such device in a public place.

SECTION 5.0 – GRAFFITI

- 5.1 No person shall cause or allow the posting or exhibiting of posters, signs, placards, writings or pictures upon any fence or wall on any property, as to create a dilapidated or unsightly condition.
- 5.2 No person shall cause or allow drawing, painting, or writing or any signs or message upon public or private property except with prior permission of the owner of the property and in accordance with the Town's Land use Bylaw.

SECTION 6.0 – ENFORCEMENT

- 6.1 Where an Enforcement Officer believes that a person has contravened any section of this By-law, he may serve upon such a person for such offence to be made to the Town, a voluntary payment tag in a form prescribed by the Town allowing payment of the penalty specified in the penalty schedule, and such payment shall be accepted by the Town in lieu of prosecution for the offence.
- 6.2 Where an Enforcement Officer believes that any person has contravened any section of this By-Law, he may serve upon such person a Violation Ticket in the form and manner as prescribed by the provisions of the Provincial Offenses Procedure Act, Chapter P-34, RSA 2000, and all amendments thereto.

SECTION 7.0 – PENALTIES

- 7.1 Penalties pursuant to this By-Law shall be set by way of resolution of Town Council.


SECTION 8.0 – ENACTMENT

- 8.0 This By-Law shall come into full force and effect upon the date of the passing of the third and final reading.

READ A FIRST TIME THIS 12 DAY OF December, A.D. 2005.

READ A SECOND TIME THIS 27 DAY OF March, A.D. 2006

READ A THIRD TIME THIS 27 DAY OF March, A.D. 2006



MAYOR, BRUCE LENNON



TOWN MANAGER, DARRELL GARCEAU

Schedule of Penalties

Pursuant to By-Law 2005-14, "Public Order By-Law"

Section	Offence	Penalties
2.1	Scream/yell/swear in a public place	100.00
2.2	Urinate/defecate in a public place	100.00
3.1	Participate in a fight in a public place	200.00
3.2	Assembly of persons fail to disperse as requested by enforcement officer	200.00
3.3	Loiter in a public place	100.00
4.1	Cause/allow posting of posters/signs/placards/writings/pictures on a fence/wall	100.00
4.2	Cause/allow drawing/painting/writing/sign/message to be placed on public/private property	100.00

Administrative surcharge if payment of penalty charged is not received by the municipality within 30 days of date of issuance of Violation Tag

\$20.00 or 20%
of the specified
penalty,
whichever
amount is greater

Any person who commits a second or subsequent offence within one year of the first offence, double the specified penalty shall apply.