

- (c) the actions that must take place to bring the lands or activity into compliance, if possible and
- (d) the recipients right to appeal the order.
- .5 If the Stop Order is not complied with, the County, in accordance with the *Municipal Government Act*, may enter upon the land or *building* and take such action as is necessary to carry out the Stop Order, or may apply to the Court of Queen's Bench to pursue a Court Order to achieve compliance.
- .6 The County's costs of carrying out any actions required for compliance with the Stop Order may be added to the tax roll of the land subject to the order.
- .7 The County may register a caveat with respect to a Stop Order in the Land Titles Office, provided that the caveat is discharged when the order has been complied with.
- .8 In a DC district, Council may delegate its authority to a *Designated Officer* to undertake enforcement actions.

4.5 PENALTIES AND FINES

- .1 A person who violates or contravenes the provisions of this Bylaw or permits a violation of this Bylaw, is guilty of an offence, and is liable for the penalty/fine set out in Table 4.1, or if no penalty/fine is specified in Table 4.1 for the particular offence for a fine upon conviction of not less than \$250.00 and not more than \$10,000 and, in addition, an additional fine for every calendar day the offence continues.
- .2 A *Peace officer* or *Bylaw Enforcement Officer* may issue, with respect to an offence under this Bylaw, a *provincial violation ticket* or *Municipal violation tag*. 1631/23
- .3 Where a *provincial violation ticket* or *Municipal violation tag* specifies a fine amount in accordance with Table 4.1, a voluntary payment equal to the specified fine amount may be made. 1631/23

Table 4.1: Fines

Bylaw Reference	General Description of Offence	Minimum Penalty/Fine
Sections 2.1 and 4.2	Contravening approved <i>development permit</i> or conditions of approved <i>development permit</i> .	\$500 for first offence \$1,000 for second and following offences.
Section 2.12	Developing with expired <i>development permit</i> or continuing <i>development</i> after <i>development permit</i> cancellation.	\$1,000
Subsection 4.2	Contravention of any part of this bylaw.	\$500 for the first offence \$1000 for the second and following offences.
Subsection 4.2.1	Failing to comply with any order issued under Section 4.4 of this Bylaw,	\$1,000
Subsection 4.3.3	Obstruction of a <i>Peace Officer</i> or <i>Bylaw Enforcement Officer</i> .	\$1,000

- .4 The penalties and offences indicated in Table 4.1 are supplementary to the *Municipal Government Act*, under which any person who commences a *development* and fails to obtain a *development permit* or comply with a condition of a *development permit* is guilty of an offence.
- .5 With respect to a *sign* placed or erected in contravention of this Bylaw on a public *parcel* that is not subject to a lease or license of occupation, the appearance of the name of an individual, business or organization on the *sign*, whether for the purpose of declaring ownership of the *sign* or advertising thereon, is at first sight proof that the individual, business or organization caused or permitted the *sign* to be placed on the *parcel*, and that individual, business or organization shall be deemed responsible for the referenced contravention.

Adjacent means contiguous or would be contiguous if not for a river, stream, railway, road or utility *right-of-way* or reserve land and any other land identified in this Bylaw as *adjacent* land for the purpose of notifications. (See Figure 1.2)



Figure 1.2: Adjacent

Aerodrome see *airport*.

Agricultural use means the growing, raising, managing and/or sale of livestock, crops, food, horticulture and agri-food related value-added enterprises including education, motivated either by profit or lifestyle. This does not include *Cannabis Production and Distribution*.

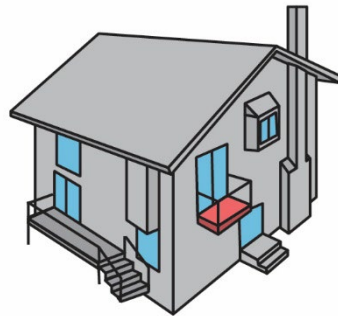
1405/18

Airport means any area of land, water (including the frozen surface thereof) or other supporting surface *used*, designed, prepared, equipped or set apart for *use* either in whole or in part for the commercial arrival, departure, movement or servicing of aircraft thereon or associated therewith.

Amenity area means a space which is provided for active or passive recreation and enjoyment of the occupants of a *development*. Such an area may be for either private or communal *use* and may be under individual or common ownership.

Balcony means a covered or uncovered *deck* attached to a *principal building*, more than 0.6m (2ft) above *grade* and does not have direct access to the ground. (See Figure 1.3)

Figure 1.3: Balcony



Bare land unit means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act*, RSA 2000, c.S-26, respecting *subdivision*.

Basement means a portion of a *building* or *dwelling*, partly or wholly below *grade* and has no more than 1.8m of its clear height above *grade* and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.

1432/19; 1587/22

Building means anything constructed or placed on, in, over or under land but does not include a *highway* or public road or a bridge forming part of a *highway* or public road.

Buffer means an area that prevents or mitigates the impact of incompatible *uses* with one another, and may include but is not limited to a row of trees, shrubs, earth berm or *fencing*.

***Bylaw Enforcement Officer* means a person appointed by the County to enforce bylaws.**

Campsite means a delineated area or site typically within a *campground* intended for occupancy by tents and *recreational vehicles* on a limited temporary basis and is ancillary to an approved use of the *parcel*.

1597/22

Municipal Government Act means the *Municipal Government Act*, RSA 2000, c.M-26, and any amendments or successor legislation along with its associated regulations.

Municipal improvements mean all improvements within publicly owned lands and *rights-of-way*. This includes, but is not limited to *roads*, sidewalks, water, sanitary, stormwater connections and lateral lines, ditches, *utilities*, municipal reserves and traffic signage.

***Municipal violation tag* means a County-issued notice or ticket that alleges a Bylaw offence and provides a person with the opportunity to pay an amount to the County in lieu of prosecution for the offence.**

Natural area means a geographic area having a physical or cultural individuality developed through natural growth, rather than design or planning and is destined for conservation, preservation or restoration of natural features, biodiversity, ecological processes, and/or for cultural significance.

Net residential hectare means the land required for residential purposes within a residential neighbourhood. This excludes Environmental and Municipal Reserve, *roads* (including *local*, *collector* and *arterial*), *public utilities*, stormwater management facilities, and commercial, industrial, and institutional lands.

Non-conforming building means, as defined in the *Municipal Government Act*, a *building* that:

- (a) is lawfully constructed or lawfully under construction on the date that this Bylaw or any amendment thereof affecting the *building* or land on which the *building* is situated becomes effective; and
- (b) on the date this Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with this Bylaw.

Non-conforming use means, as defined in the *Municipal Government Act*, a lawful specific use:

- (a) being made of land or a *building* or intended to be made of a *building* lawfully under construction, at the date this Bylaw or any amendment thereof affecting the land or *building* becomes effective; and
- (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or in the case of a *building* under construction will not, comply with this Bylaw.

Off-site means a location other than the *parcel* which is the subject of a *development*.

On-site means a location on the *parcel* which is the subject of a *development*.

Overlay means a regulatory tool within the Land Use Bylaw applied to a geographic area to alter or specify regulations for *permitted* and *discretionary* uses in otherwise appropriate Districts, in order to achieve the local planning objectives in specially designated areas as determined by the Municipal Development Plan, other statutory plan or study adopted by Council.

Parcel means a *lot* as shown on an official plan as defined in the *Surveys Act* that is filed in the Land Titles Office.

Parcel area means the total land area of a *parcel*.

Parcel, corner means a *parcel* at the intersection of two or more *roads* other than alleys or *lanes*.

Parcel coverage means the total percentage of the *parcel area* covered by all *buildings* or structures which are located higher than 0.6m (2ft) above *grade*.

Parcel depth means the distance between the front and rear *parcel lines* as measured perpendicularly or radially from the mid-point of the front *parcel line*.

Parcel line or boundary means a boundary delineating the edge of the *parcel*.

Parcel width, in the case of a rectangular parcel means the distance measured between the two side lot lines where it *abuts* the *road*. In the case of an irregularly shaped *lot* such as a pie-shaped *parcel*, the width shall be the horizontal distance between the side *parcel lines* at 9m (29.5ft) from the front *parcel line*. For reverse pie-shaped *parcels*, the *parcel width* is the horizontal distance between the side *parcel lines* measured 22m (72.2ft) from the front *parcel line*. For other *parcels* where the *parcel width* cannot be reasonably calculated by these methods, the *Development Authority* shall determine the mean parcel width having regard to access, shape and buildable area of the *parcel*, and the mean parcel width and location of *buildings* on *abutting parcels*.

Parking stall means a space delineated and set aside for the parking of one vehicle.

***Peace Officer* means a person as defined in the *Peace Officer Act*, S.A. 2006, c. P-35.**