

## Community Standards Bylaw Comparison Chart and Summary

The City of Beaumont is developing a Community Standards Bylaw to address a range of community issues. This chart summarizes proposed provisions of the bylaw by topic. In some instances, this new bylaw will include provisions that are currently included in other existing City bylaws, such as Cannabis Consumption Bylaw, Nuisance and Unsightly Premises Bylaw, and the Snow Removal Bylaw. If the Community Standards Bylaw is formally approved by Council, the older existing bylaws will be repealed.

<b>Public Behaviours</b>		
Topic	Proposed Provisions	Comments
Littering	A person shall not leave any garbage, litter, or other refuse in a public place, except in a receptacle designated and intended for such use.	<p>These provisions address a range of public behaviours that are not currently addressed or regulated by City bylaw.</p> <p>The provisions help ensure that public spaces are safe and enjoyable.</p> <p>The provisions also provide an enforcement mechanism for addressing common issues.</p>
Flyers	<p>A person shall not place, deposit, or throw upon or into any motor vehicle any leaflet, pamphlet, poster, handbill, flyer, or any paper containing printed or written matter, whether advertising or not, except for a municipal notice or violation ticket issued pursuant to lawful authority.</p> <p>A person shall not deposit any leaflet, pamphlet, poster, handbill, flyer, or any paper containing printed or written matter, whether advertising or not, on a property where signs or notices have been posted and are clearly visible at the entrance to a dwelling unit, indicating that such material is not wanted.</p>	
Urination and Defecation	<p>A person shall not urinate or defecate in a public place except in a facility designed and intended for such use.</p> <p>A person shall not spit at or on any person or property in a public place.</p>	

<p>Dangerous Actions</p>	<p>A person shall not throw or propel an object, or act in any other way, in a public place that is reasonably likely to cause injury to another person, damage to property, or damage to any person’s personal property.</p> <p>No person shall threaten or intimidate another person in a public place, or use an object for the purpose of threatening or intimidating another person in a public place.</p>	<p>Municipal enforcement officers can use discretion when addressing issues, and their approach is often to educate and provide a warning in the first instance of a non-serious incident.</p>
<p>Causing a Disturbance</p>	<p>No person located in a public place shall disturb the peace and enjoyment of other members of the public by:</p> <ul style="list-style-type: none"> <li>• screaming, shouting, or using loud, abusive or obscene language;</li> <li>• being intoxicated by alcohol or another drug or substance; or</li> <li>• performing an indecent act.</li> </ul>	
<p>Interference with Property</p>	<p>No person shall damage, destroy, deface, tamper, or otherwise interfere with any property or a person’s personal property.</p> <p>No person shall stand or put their feet on the top of a table or surface of any table, bench, planter, sculpture, or other fixture in a public place.</p>	
<p>Fighting</p>	<p>A person shall not participate in a fight or other similar physical confrontation in a public place; this prohibition does not apply to participants of an organized sporting event who are governed by the rules of conduct of that sporting event.</p>	
<p>Bullying</p>	<p>No person shall communicate either directly, indirectly, or through any form of media, with any person in a manner that would cause a reasonable person they feel bullied; and</p> <p>No person shall encourage or support any person engaged in the act of bullying, through any medium, of another person or group of persons; and parent, or guardian of a child shall allow, permit, or encourage a minor under their care to engage in the bullying or cyber bullying of another</p>	

	person or group of persons.	
Alternative Dispute Resolution	Nothing in this bylaw shall prevent a peace officer from directing that an offence under this bylaw be considered for alternative dispute resolution, as administered by the City from time to time.	
Loitering	A person shall not loiter in a public place to obstruct or harass any other person.	
Panhandling	A person shall not engage in panhandling.	
Graffiti	A person shall not create or apply graffiti.  If a peace officer has a reasonably held belief that a person is in possession of graffiti instruments for the purpose of creating or applying graffiti, the peace officer may direct that the person leave the area or surrender the graffiti instruments to the peace officer. Failure or refusal to follow the directions of a peace officer constitutes an offence under this bylaw.	

<b>Property Maintenance</b>		
Topic	Proposed Provisions	Comments
Nuisance and Untidy Lands	<p>A person shall not cause or permit a nuisance to exist on land they own or occupy.</p> <p>A person who causes a nuisance or permits property they own or occupy to be used so as to cause a nuisance shall as soon as practicable abate the nuisance and cause to be abated the activity which causes the nuisance.</p> <p>No owner or occupant of a property shall have or allow in or on the property, the</p>	<p>Similar provisions are currently included in the City's "Nuisance and Unsightly Premises Bylaw".</p> <p>The Community Standards Bylaw</p>

	<p>accumulation of:</p> <ul style="list-style-type: none"> <li>• anything that creates an odour, emission, smoke, vapour, dust or other airborne matter that is reasonably likely to disturb another individual; or</li> <li>• any material likely to attract animals, pests, or wildlife; or</li> <li>• animal remains, parts of animal remains, or animal feces.</li> </ul> <p>A person shall not have or allow the following to accumulate on property which they own or occupy such that the accumulation is visible to a person viewing from outside the property:</p> <ul style="list-style-type: none"> <li>• loose garbage or bagged garbage;</li> <li>• bottles, cans, boxes, or packaging materials;</li> <li>• household furniture or other household goods;</li> <li>• automobile parts;</li> <li>• parts of or disassembled machinery, equipment or appliances; or</li> <li>• yard waste, including grass, tree and hedge cuttings, leaves and other refuse.</li> </ul>	<p>provides more detail on the types of nuisances and untidy issues that commonly cause concern for the public. For example, the provisions related to accumulation of garbage, bottles, cans, household items, etc. are new and add greater clarity.</p>
Sidewalks	<p>An owner shall ensure the removal from any improved public sidewalk located adjacent to the property, including private driveway crossings, all snow and ice deposited, whether from natural or unnatural means, within 48 hours of deposit.</p> <p>If a person fails to reasonably remove snow and ice from any sidewalk adjacent to land they own or occupy within 48 hours after the snow or ice has been deposited, the City may carry out the removal of snow and ice or contract out the removal of snow and ice, with all the costs, expenses, and administrative fees involved charged to the person responsible for the removal and any unpaid costs or expenses shall be added to the tax roll for the property to be recovered in the same manner as other taxes; pursuant to the provisions of the Municipal Government Act.</p>	<p>Similar provisions are currently included in the City's "Snow Removal Bylaw".</p> <p>The 48-hour time frame is consistent with the current bylaw.</p> <p>There is greater clarity in the Community Standards Bylaw regarding not</p>

	<p>No person shall damage any sidewalk or pavement in the City by striking, picking or cutting the same, whether such person is engaged in removing snow, ice, dirt or foreign material from the said sidewalk or pavement or not.</p> <p>No person shall remove dirt, debris, or other materials from any sidewalk by causing such material to be placed upon any other portion of the highway or other public place adjacent to such property.</p> <p>No person shall place, or permit, to be placed, any snow, ice, dirt, debris, or other material removed from private property onto the highways or other public places of the City.</p> <p>No person shall place, or permit to be placed, any snow, ice, dirt, debris, or other material removed from their own private property onto another person's property.</p>	<p>damaging sidewalk or pavement.</p> <p>There is greater clarity in the Community Standards Bylaw regarding not placing snow, ice, or dirt from one's property to another person's property.</p>
Boulevards	<p>A person shall maintain any boulevard adjacent to land they own or occupy by:</p> <ul style="list-style-type: none"> <li>• keeping any grass on the boulevard cut to a length of no more than 20 centimeters;</li> <li>• removing any accumulation of fallen leaves or other debris; and</li> <li>• notifying the City if tree maintenance is required.</li> </ul>	Not currently addressed in the City's bylaws.
Buildings	<p>For greater certainty, a nuisance in respect of a building means a building showing signs of serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area. Some examples of which include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• any damage to the building;</li> <li>• any rot or other deterioration within the building; and</li> <li>• any inappropriate infiltration of air, moisture, or water into the building due to peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any</li> </ul>	This provides a mechanism for addressing issues with derelict properties.

	other hole or opening in the building.	
Unoccupied Buildings	<p>If a building normally intended for human habitation is unoccupied, then any door or window opening in the building may be covered with a solid piece of wood, but only if the wood is:</p> <ul style="list-style-type: none"> <li>• installed from the exterior and fitted within the frame of the opening in a watertight manner;</li> <li>• of a thickness sufficient to prevent unauthorized entry into the building;</li> <li>• secured in a manner sufficient to prevent unauthorized entry into the building; and</li> <li>• coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.</li> </ul>	These provisions help ensure that unoccupied buildings are not a danger to the public.
Construction Waste	<p>Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.</p> <p>no person shall allow loose construction material to be stored or accumulated on a construction site they own or occupy unless it is stacked or stored on the property in an orderly manner, and not capable of being blown around the construction area or off the construction site.</p>	<p>Not currently addressed in the "Nuisance and Unightly Premises Bylaw".</p> <p>There are similar provisions regarding construction ted by developers in the City's Land Use Bylaw, but this section provides another avenue for dealing with construction waste, especially in situations such as home renovations.</p>

<p>Repair of Motor Vehicles</p>	<p>A person shall not conduct any repair work on motor vehicles, including mechanical repairs, autobody work, frame repair, collision repair, auto painting, auto detailing or modifications to the body or rebuilding of a motor vehicle, on any land in a residential district, unless the activity is authorized pursuant to legislation, and is in full compliance with applicable approvals, conditions, licenses, and permits.</p> <p>This prohibition shall not apply to routine maintenance work performed on any motor vehicles owned, operated, or registered in the name of the person who owns or occupies the property on which the work is being performed, provided that:</p> <ul style="list-style-type: none"> <li>• the work is done in a garage that can have the doors and windows closed;</li> <li>• the activity does not create a nuisance or noise complaints from neighbours;</li> <li>• there is no escape of offensive, annoying or noxious odors, fumes or smoke from the property;</li> <li>• vehicle fluids, oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm sewers;</li> <li>• all discarded vehicle parts and materials are properly stored and disposed of from the property;</li> <li>• no power washing of motor or powertrain is performed on the property; and</li> <li>• all building and fire code regulations are met.</li> </ul>	<p>Not currently addressed in the "Nuisance and Unsightly Premises Bylaw".</p> <p>These provisions help address nuisance issues related to cars and mechanical repairs, but there are exemptions for work being done in accordance with the appropriate permit.</p>
<p>Refrigerators and Freezers</p>	<p>A person shall not place, cause, or permit to be placed a refrigerator freezer or other similar appliance on land they own or occupy unless effective measures have been taken to prevent the opening and closing of the appliance.</p>	<p>These provisions are new and help address issues that could lead</p>

	<p>Without limiting the generality of the foregoing section, measures considered to be effective may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• the removal of the door from the appliance;</li> <li>• the removal of the door handle mechanism if this prevents opening and closing of the door;</li> <li>• the removal of the door hinges;</li> <li>• the locking of the appliance; or</li> <li>• otherwise wrapping or containing the appliance so that the interior is inaccessible.</li> </ul>	to dangerous situations.
--	---	--------------------------

<b>Noise Control</b>		
Topic	Proposed Provisions	Comments
Prohibited Noise	<p>A person shall not cause or permit any noise that annoys or disturbs the peace of any other person.</p> <p>A person shall not cause or permit property they own or occupy to be used so that noise from the property annoys or disturbs the peace of any other person.</p> <p>In determining what sound is reasonably likely to annoy or disturb the peace of others, consideration may be given to, but is not limited to, the following criteria:</p> <ul style="list-style-type: none"> <li>• type, volume, and duration of the sound;</li> <li>• time of day and day of week; and</li> <li>• nature and use of the surrounding area.</li> </ul>	<p>Similar provisions are currently included in the City's "Noise Abatement Bylaw."</p> <p>The Community Standards Bylaw provides more discretion to bylaw enforcement to address noise complaints.</p>
Construction Activity	A person shall not cause or permit any construction activity on property they own or occupy before 7:00 a.m. or after 9:00 p.m. on a weekday or before 9:00 a.m. or after 9:00 p.m. on a weekend or holiday.	The times in the new Community Standards Bylaw are similar to



		those in the current bylaw with the exception of a minor change for weekend times. The sections are re-written and re-structured for clarity.
Garbage Collection	A person shall not collect, cause, or permit the collection of garbage with a motor vehicle on or adjacent to any property zoned for residential use before 7:00 a.m. or after 9:00 p.m. on a weekday or before 9:00 a.m. or after 9:00 p.m. on a weekend or holiday.	Minor revisions for clarity.
Motor Vehicles	If a motor vehicle is the cause of any sound that contravenes a provision of this bylaw, the owner of that motor vehicle is liable for the contravention.	Minor revisions for clarity.
Exceptions	Nothing in this part prohibits: a person who is an employee or authorized agent of the city from producing certain sounds while acting within the scope of their functions, duties, or powers; or situations where the CAO has issued a permit allowing the production of certain sounds on whatever conditions the CAO deems appropriate.	Exemptions exist in the current bylaw and the Community Standards Bylaw has a consistent approach to exemptions.

<b>Smoking, Cannabis, and Liquor</b>		
Topic	Proposed Provisions	Comments
Smoking and Cannabis Restrictions in Public Places	The proprietor, owner, or employer of every designated public place shall, if employees or members of the public from time to time gather to smoke at a location outside the designated public place, ensure that ashtrays are placed more than six meters from the entrance or exit of the designated public	“Public Place” in this part means City or public buildings and those areas within six

	<p>place.</p> <p>No person shall smoke in a designated public place.</p> <p>Except as permitted in this part (i.e. cannabis may be consumed in accordance with provincial and federal legislation), no person shall use or consume cannabis in a public place or any other place other than a residence, temporary residence, licensed premises, or a place prescribed by legislation as a place where cannabis may be used or consumed.</p> <p>A person may smoke in an area designated as a smoking area for cannabis under the provisions of this bylaw.</p> <p>A person who owns or occupies a place where smoking is prohibited by this part shall not permit any individual to smoke, vape, or used electronic cigarette in that place.</p> <p>Nothing in this part prohibits a person from smoking in an area of a building designed, intended, and used exclusively as a private residence unless it is a multi-unit building.</p> <p>Nothing in this part affects the rights of Indigenous people respecting traditional Indigenous spiritual or cultural practices of ceremonies.</p> <p>Subject to the provisions of this section, a person who owns or occupies a place where smoking is otherwise prohibited by this part may permit smoking in that place when smoking is permitted pursuant to provincial or federal legislation or powers exercised pursuant to each legislation.</p> <p>If smoking is permitted pursuant to this section, the person who owns or occupies the premises shall ensure that:</p> <ul style="list-style-type: none"> <li>• smoke does not enter any place where smoking is prohibited;</li> </ul>	<p>meters of an entrance or exit, public vehicles and shelters, and workplaces and those areas within six meters of an entrance or exit.</p> <p>Similar provisions are currently included in the City's "Cannabis Consumption Bylaw".</p> <p>A few changes are introduced in the Community Standards Bylaw:</p> <ul style="list-style-type: none"> <li>• Exemption for traditional Indigenous ceremonies or practices;</li> <li>• Multi-family units are excluded from residences (i.e. cannot smoke in a multi-family unit);</li> <li>• Additional requirements are articulated for</li> </ul>
--	--	---

	<ul style="list-style-type: none"> <li>• signage is clearly and prominently displayed at each entrance to a place where smoking is permitted, indicating that smoking is permitted inside and;</li> <li>• no person under the age of 18 years of age is allowed to enter or remain in a place where smoking is permitted.</li> </ul> <p>Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that:</p> <ul style="list-style-type: none"> <li>• filters that prevent the escape of odours associated with cannabis material to the outdoors; and</li> <li>• provides natural or mechanical ventilation with sufficient air exchange to provide clean air to prevent smell to neighbors.</li> </ul>	<p>areas where smoking is permitted; and</p> <ul style="list-style-type: none"> <li>• Additional provisions are added to address nuisance odours from cannabis.</li> </ul> <p>It's important to note that the City cannot interfere with someone exercising their rights under provincial or federal legislation.</p>
E-Cigarettes/Vaping	Nothing in this section prohibits a person from using an electronic cigarette for the sole purpose of testing the device, or sampling products used with the device, prior to purchase within an electronic cigarettes retailer. Cannabis e-cigarettes (vaping) are not allowed to be tested in the retail store.	Additional clarity added.
Edible Cannabis	No person shall eat or consume edible cannabis products in any public place.	Same as current bylaw.
Liquor	No person shall, except in accordance with a liquor license, sell or consume liquor in a public place except: <ul style="list-style-type: none"> <li>• where it is a temporary campsite in an approved campsite location; or</li> <li>• where a special event permit and liquor license has been issued.</li> </ul>	New provisions not currently addressed in City bylaws.

Designated Areas	<p>The CAO may designate any public place, or portion of a public place, as a no smoking area or as a smoking area.</p> <p>The CAO shall place temporary or permanent signs or other markings identifying a no-smoking area or smoking area.</p> <p>The CAO may impose any requirements on a smoking area including, but not limited to, requirements that the area be enclosed or that no minors be permitted within the area.</p> <p>No person shall remove, move, alter, deface, conceal, or destroy any signs or other markings identifying a no smoking area or a smoking area.</p>	New provisions to give the municipality more flexibility in making public spaces non-smoking.
------------------	--	---

<b>Enforcement and Fines</b>		
Topic	Proposed Provisions	Comments
Enforcement	<p>Any person who contravenes any provisions of this bylaw is guilty of an offence and liable upon summary conviction to a specific penalty as set out in schedule "A" attached hereto and forming part of this bylaw.</p> <p>Where no specific penalty is specified, a penalty of not less than \$100 and not more than \$2,500 to be imposed in the discretion of the court having jurisdiction, having regard to s. 7(i) of the MGA.</p>	<p>This section of the bylaw addresses enforcement of the bylaw.</p> <p>The range of fees is from \$100 to \$2,500 depending on the variables (the offence, the number of repeat offences, etc.).</p>

Municipal Tag	<p>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 provisions of this bylaw.</p> <p>Where a municipal tag is issued pursuant to this bylaw, the person to whom the municipal tag is issued may, in lieu of being prosecuted for the offence, pay the city the penalty specified on the municipal tag.</p>	These are standard provisions for bylaws that deal with enforcement issues.
Violation Ticket	<p>If the penalty specified on the municipal tag is not paid within the prescribed time, then a peace officer is hereby authorized and empowered to issue a violation ticket pursuant to the Provincial Offences Procedure Act.</p> <p>Notwithstanding anything else in this bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the Provincial Offences Procedures Act, as amended, to any person who the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.</p> <p>If a violation ticket is issued in respect of an offence, the violation ticket may; specify the fine amount established by this bylaw for the offence; or require a person to appear in court without the alternative of making a voluntary payment.</p>	These are standard provisions for bylaws that deal with enforcement issues.
Continuing Offence	<p>In the case of an offence that is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.</p>	These provisions address a range of enforcement issues and are typically found in this type of bylaw.
Vicarious liability	<p>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 during the employee's employment with the person, or</p>	

	during the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.	
Corporations and Partnerships	When a corporation commits an offence under this Bylaw, every principal, director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the 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.	
	If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.	
Powers of CAO	<p>Without restricting any other power, duty or function granted by this bylaw, the CAO may:</p> <ul style="list-style-type: none"> <li>• carry out any inspections to determine compliance with this bylaw;</li> <li>• take any steps or carry out any actions required to enforce this bylaw;</li> <li>• take any steps or carry out any actions required to remedy a contravention of this bylaw;</li> <li>• establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of property; and such procedures may differ depending on the type of property in question;</li> <li>• establish areas where activities restricted by this bylaw are permitted;</li> <li>• establish forms for the purposes of this bylaw;</li> <li>• issue permits with such terms and conditions as are deemed appropriate;</li> <li>• establish the criteria to be met for a permit pursuant to this bylaw;</li> <li>• delegate any powers, duties or functions under this bylaw to an employee of the City; and</li> <li>• appoint inspectors for the purposes of the <i>Agricultural Pest Act</i>, R.S.A. 2000, c. A-8.; and</li> </ul>	These provisions are required to provide the appropriate authority to the CAO as provided in the Municipal Government Act.

	<ul style="list-style-type: none"> <li>• appoint inspectors for the purposes of the <i>Weed Control Act, S.A. 2008, c W-5.1.</i></li> </ul>	
Permits and Proof of Permits	<p>A person to whom a permit has been issued pursuant to this bylaw, and any person carrying out an activity otherwise regulated, restricted, or prohibited by this bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.</p> <p>A person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this bylaw.</p> <p>If any term or condition of a permit issued pursuant to this bylaw is contravened, or if a false or misleading statement or false or misleading information was provided to obtain the permit, the CAO may immediately cancel the permit.</p> <p>The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.</p> <p>The City, a peace officer, or any person who inspects property under this bylaw or any person who performs work on behalf of the city is not liable for any damages caused by the inspection, the work, or disposing of anything referred to in an order.</p>	These provisions deal with exemptions that may be granted by permit.