

# TOWN OF OLDS BYLAW NO. 2023-21

***Being a Bylaw of the Town of Olds, in the Province of Alberta, to provide for the process of municipal violation tickets relative to the contravention of a provision of a Town of Olds Bylaw.***

**WHEREAS** Section 7(i) of the *Municipal Government Act*, RSA, 2000, c. M-26, that a Council may pass bylaws respecting the enforcement of bylaws;

**UNDER AND BY VIRTUE OF THE AUTHORITY** conferred upon it by the *Municipal Government Act*, RSA, 2000, c. M-26 and amendments thereto, the *Highway Traffic Act* and the *Off-Highway Vehicle Act* of the Revised Statutes of Alberta and amendments thereto and the *Provincial Offences Procedures Act* and amendments thereto.

**NOW THEREFORE** the Council of the Town of Olds in the Province of Alberta, duly assembled, enacts as follows:

## **1. BYLAW TITLE:**

1.1 This Bylaw may be cited as the "**General Penalty Bylaw**".

## **2. DEFINITIONS**

2.1 "Bylaw" means a bylaw of the Municipality;

2.2 "Municipal Violation Ticket" means a municipal ticket issued under a Town of Olds Bylaw.

2.3 "Municipality" means the Town of Olds;

2.4 "Peace Officer" means a police officer under the Police Act; or a person who is employed or retained by a municipality whose duties include written authorization to issue violation tickets under Parts 2 and 3, while the person is in the exercise or discharge of that duty and while the person is serving a summons, offence notice or subpoena.

2.5 "Violation Ticket" means a violation ticket under Part 2 or Part 3 of the *Provincial Offences Procedures Act*.

## **3. STATEMENT OF TO WHOM AND TO WHAT THE BYLAW APPLIES**

3.1 This bylaw applies to all persons and/or all businesses within the Town of Olds Corporate Limits.

## **4. GENERAL RULES AND SPECIAL PROVISIONS**

4.1 A person who contravenes any provision of a Town of Olds Bylaw is considered guilty of an offence punishable on summary conviction as noted in the Bylaw. The General Penalty Bylaw determines the process to be used when issuing Municipal Violation Tickets.

## **5. PENALTY CLAUSE**

5.1 A person served with a Municipal Violation Ticket, in the form used by the Town, may pay to the Town the penalty indicated thereon, out of court and in lieu of appearing in answer to a charge or information.

5.2 The voluntary payment option referred to in Point 5.1 shall be valid for no more than 21 days following the date of issue of the Municipal Violation Ticket.

- 5.3 A person who has neglected or failed to comply with the voluntary payment option provided for in Point 5.1 may be summoned to appear before a judge in answer to a charge or information.
- 5.4 Service of notice of an offence referred to in Point 5.1 shall be sufficient if it is:
- a) Personally served; or
  - b) Attached to, left in or on a vehicle in respect of which an offence has been committed; or
  - c) Mailed to the address of the registered owner of the vehicle or person in possession of a vehicle; or
  - d) Mailed by registered mail to or affixed to the last known address of the accused person; or
  - e) Left at the accused's usual place of abode with a resident hereof, who appears to be at least Sixteen (16) years of age; or
  - f) Left with a person who is employed or is an officer of the association, partnership, or corporation.
- 5.5 Notwithstanding Points 5.1 to 5.3 a Peace Officer may:
- a) Issue to a person a "summons" forming part of a Violation Ticket according to the *Provincial Offences Procedures Act* and indicate thereon the penalty applicable to the offence; or
  - b) Issue to a person an "Offence Notice" forming part of a Violation Ticket according to the *Provincial Offences Procedures Act* and indicate thereon the penalty applicable to the offence as prescribed by the "provincial fine schedule".

**6. EFFECTIVE DATE**

6.1 This Bylaw shall come into force and effect on the date of final passing thereof.

**7. READINGS**

Read for the first time on the 11<sup>th</sup> day of September 2023.

Read a second time on the 11<sup>th</sup> day of September 2023.

Unanimous consent given for third reading given on the 11<sup>th</sup> day of September 2023.

Read a third and final time on the 11<sup>th</sup> day of September 2023.

**8. SIGNATURE LINE**



Judy Dahl,  
Mayor



Brent Williams,  
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 15<sup>th</sup> day of September 2023.