



City Council Meeting Agenda

Monday, May 10, 2021 – Via Video Conference

Call to Order:	1:30 PM
Recess:	5:00 PM to 6:00 PM
Public Hearing(s):	6:00 PM

I. In Camera Meeting (to last approximately 30 minutes)

I.1. Motion to In Camera

I.1.a. Appointment of the Intermunicipal Subdivision & Development Appeal Board (ISDAB) Chairperson – FOIP 17(l) Disclosure harmful to personal privacy and 24(l)(a) Advice from officials

I.1.b. Land Matter – FOIP Section 23(1)(a) Local public body confidences

I.2. Motion to Revert to Open Meeting

2. Minutes

2.1. Confirmation of the Minutes of the April 22, 2021 Special Council Meeting
(Pages 3 – 6)

2.2. Confirmation of the Minutes of the April 26, 2021 Regular Council Meeting
(Pages 7 – 17)

2.3. Confirmation of the Minutes of the April 29, 2021 Regular Council Meeting
(Pages 18 – 23)

2.4. Confirmation of the Minutes of the May 3, 2021 Special Council Minutes
(Pages 24 – 30)

2.5. Confirmation of the Minutes of the May 4, 2021 Special Council Meeting
(Pages 31 – 35)

3. Points of Interest

4. Presentation

- 4.1. Red Deer Regional Airport – Strategic Plan Update (Page 36)

5. Reports

- 5.1. Appointment of the Intermunicipal Subdivision & Development Appeal Board (ISDAB) Chairperson (Pages 37 – 38)
- 5.2. Budget Request – Environmental Initiatives Program Specialist (Pages 39 – 42)

6. Bylaws

- 6.1. E-Scooter Pilot (Pages 43 – 317)
- 6.1.a. Consideration of First Reading of Bylaw 3609/A-2021
- 6.1.b. Consideration of First Reading of Bylaw 3186/A-2021
- 6.1.c. Consideration of First Reading of Bylaw 3255/A-2021
- 6.2. Land Use Bylaw Amendment 3357/J-2021. Omnibus Land Use Bylaw Amendments (Pages 318 – 331)
- 6.2.a. Consideration of First Reading of Bylaw 3357/J-2021

7. Public Hearings

- 7.1. Land Use Bylaw Amendment 3357/L-2021. Amendment of a Site Exception at 6610-71 Street (Pages 332 – 360)
- 7.1.a. Consideration of Second Reading of Bylaw 3357/L-2021
- 7.1.b. Consideration of Third Reading of Bylaw 3357/L-2021

8. Adjournment



UNAPPROVED - MINUTES

**of the Red Deer City Council Special Meeting
held on, Thursday, April 22, 2021
commenced at 1:01 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
General Manager Development & Protective Services, Tara Lodewyk
General Manager Community Services, Sarah Tittermore
General Manager Corporate & Employee Services, Lisa Perkins
Deputy General Manager Development & Protective Services, Ken McMullen
Legal & Legislative Services Manager, Michelle Baer
Chief Financial Officer, Dean Krejci

Present: Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey
Senior Administrative Assistant, Kristen Waddle



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Thursday, April 22, 2021 at 1:01 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Westerner Sustainability – FOIP Section 24(1)(a) Advice from officials

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

I.1.a. Westerner Sustainability - FOIP Section 24(1)(a) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, General Manager Community Services Sarah Tittamore, General Manager Corporate & Employee Services Lisa Perkins, General Manager Development & Protection Services Tara Lodewyk, Deputy General Manager Development & Protective Services Ken McMullen, Legal and Legislative Services Manager Michelle Baer, Chief of Staff Brad Koopmans, Chief Financial Officer Dean Krejci, Chief Financial Officer Ray MacIntosh, Divisional Strategist Karen Smilar, Deputy City Clerk Samantha Rodwell, Corporate Meeting Administrator Jennifer Hankey, Senior Administrative Assistant Kristen Waddle

Guest in attendance:



Ms Robyn Eeson, KPMG

1.2. Motion to Revert to Open Meeting

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Thursday, April 22, 2021 at 1:54 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 1:54 p.m. and reconvened at 1:59 p.m.

2. REPORTS

Council recessed at 3:39 p.m. and reconvened at 3:52 p.m.

2.1. Westerner Exposition Association

Moved by Councillor Ken Johnston, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer, having considered the report dated April 22, 2021 re: Westerner Exposition Association hereby approves an additional grant of up to \$3 million for 2021 to support the Westerner Exposition Association's operations through the Covid-19 pandemic.

Prior to consideration of the motion the following tabling motion was introduced:

Moved by Councillor Vesna Higham, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Westerner Exposition Association for up to four weeks and directs Administration to bring back a report to Council addressing the following items:

1. Options for structuring the proposed 3 million for short-term financial support as a loan rather than a grant.
2. Options for allowing Councillors appointed as Westerner Exposition Association board members to share with Council and the City Manager any



- confidential information deemed critical to The City or the public interest.
3. Wording for s.31(b) of the proposed Relationship Framework Agreement to assign the cost of the Facility Condition Assessment and Asset Management Plan solely to the Westerner Exposition Association and the Foundation.
 4. Administrative comments with respect to s.11 of the proposed Relationship Framework Agreement to make Council the approving body of any future proposed revisions of the Relationship Framework Agreement.
 5. Providing Council with answers to any outstanding questions submitted to Administration that haven't been responding to in writing.
 6. Administration to explore with CIBC extending interest only payment status until April 1, 2022.
 7. Administration to explore requiring the City's Nomination Process to be utilized to appoint members to the Westerner Exposition Association Board.
 8. Administration to explore adding one public member to the Westerner Exposition Association Board to be appointed by The City.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong

OPPOSED Councillor Michael Dawe, Councillor Dianne Wyntjes

MOTION TO TABLE CARRIED

3. ADJOURNMENT

Moved by Councillor Tanya Handley, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Thursday, April 22, 2021 Special Council Meeting of Red Deer City Council at 4:09 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Monday, April 26, 2021
commenced at 1:31 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
General Manager Development & Protective Services, Tara Lodewyk
General Manager Community Services, Sarah Tittermore
Acting General Manager Corporate & Employee Services, Dean Krejci
Deputy General Manager Development & Protective Services, Ken McMullen
Financial Analyst, Katherine Baron
Manager of Planning, Emily Damberger
Inspections & Licensing Manager, Erin Stuart
Senior Planner, Orlando Toews
Planner, Matthew Goebel

Present: Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey
Senior Administrative Assistant, Kristen Waddle



I. PRESENTATION

I.1. Red Deer RCMP Annual Policing Plan (APP) Update

Officer in Charge, Superintendent, Gerald Grobmeier spoke to this item. Council received the presentation as information.

2. REPORTS

2.1. 2021 Red Deer Major Event Strategy and Destination Development Framework

Mr. Justin Rousseau, Expedition Management Consulting spoke to this item.

Moved by Councillor Frank Wong, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer having considered the report from Land & Economic Development, dated April 26, 2021 re: 2021 Red Deer Major Event Strategy and Destination Development Framework hereby accepts the 2021 Red Deer Major Event Strategy & Destination Development Framework as a resource to inform implementation and recommends Administration collaborate with Tourism Red Deer to provide a detailed plan by Q1 2022.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 3:15 p.m. and reconvened at 3:25 p.m.

2.2. 2020 Annual Financial Report

Ms. Robyn Eeson and Ms. Caitlyn Cox, KPMG spoke to this item.

Moved by Councillor Ken Johnston, seconded by Councillor Michael Dawe



Resolved that Council of The City of Red Deer having considered the report from Financial Services dated April 26, 2021 re: 2020 Annual Financial Statements hereby agrees to:

1. Accept the 2020 financial statements and annual financial report for distribution to the public and other interested parties
2. Authorize the Mayor and one Councillor from the Audit Committee to sign the 2020 financial statements on behalf of Council
3. Authorize administration to forward the 2020 financial statements to Alberta Municipal Affairs, Alberta Capital Finance Authority, and Alberta Health Services by May 1, 2021.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

2.3. Approval of Additional Council Meeting Dates

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Legal & Legislative Services dated April 26, 2021 hereby approves scheduling a Council Meeting on:

- April 29, 2021 commencing at 1:00 p.m.
- June 7, 2021 commencing at 1:30 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Councillor Tanya Handley left the meeting at 4:15 p.m. and did not return.

3. BYLAWS



3.1. Land Use Bylaw Amendment 3357/L-2021. Amendment of a Site Exception at 6610-71 Street

3.1.a. Consideration of First Reading of Bylaw 3357/L-2021.

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

FIRST READING: That Bylaw 3357/L-2021 (an amendment to the Land Use Bylaw to amend a site exception at 6610-71 Street to consider an outdoor patio within an II Industrial (Business Service) District) be read a first time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wytjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

3.2. Bylaw 3669/2021 Community Standards Bylaw

3.2.a. Consideration of Second Reading of Bylaw 3669-2021.

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3669/2021 (a Bylaw to regulate nuisances, public disturbances and neighbourhood liveability issues) be read a second time.

Prior to consideration of second reading of the bylaw, the following motion to amend was introduced:

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston



Resolved that Council of The City of Red Deer, having considered the Community Standards Bylaw, hereby agrees to amend Bylaw 3669/2021 by adding the following sentence to the end of Section 2(k) after the word 'period':

“but does not include unoccupied properties that are inspected with reasonable frequency inside and outside for signs of damage, vandalism or unauthorized entry”

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION TO AMEND CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the Community Standards Bylaw, hereby agrees to amend Bylaw 3669/ by deleting section 53 and replacing it with “No person shall yell, scream or swear in any public place”.

IN FAVOUR: Councillor Buck Buchanan, , Councillor Vesna Higham

OPPOSED: Mayor Tara Veer, Councillor Michael Dawe, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION TO AMEND DEFEATED

Second reading, as amended was then back on the floor:

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3669/2021 (a Bylaw to regulate nuisances, public disturbances and neighbourhood liveability issues) be read a second time as amended.



IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wytjies

ABSENT: Councillor Tanya Handley

MOTION CARRIED

3.2.b. Consideration of Third Reading of Bylaw 3669-2021.

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

THIRD READING: That Bylaw 3669/2021 be read a third time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wytjies

ABSENT: Councillor Tanya Handley

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer having considered Community Standards Bylaw 3669/2021 hereby directs Administration to bring back a report in the fall of 2021 with the vehicle noise provisions which explores amendments to the Community Standards Bylaw related to a quiet time and noise decibel levels.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wytjies

ABSENT: Councillor Tanya Handley



MOTION CARRIED

3.3. Bylaw 3619/A-2021 Appeal Boards Amendment

3.3.a. Consideration of First Reading of Bylaw 3619/A-2021

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

FIRST READING: That Bylaw 3619/A-2021 (an amendment to Bylaw 3619/2019, to add Community Standards to the Appeal Boards Bylaw) be read a first time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

3.3.b. Consideration of Second Reading of Bylaw 3619/A-2021.

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

SECOND READING: That Bylaw 3619/A-2021 be read a second time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

3.3.c. Motion for permission to go to third reading of the bylaw

Moved by Councillor Michael Dawe, seconded by Councillor Vesna Higham



Resolved that with the unanimous consent of Council members present, that Bylaw 3619/A-2021 be presented for third reading.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

3.3.d. Consideration of Third Reading of Bylaw 3619/A-2021.

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

THIRD READING: That Bylaw 3619/A-2021 be read a third time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

4. MINUTES

4.1. Confirmation of the Minutes of the April 12, 2021 Regular Council Meeting

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby approves the Minutes of the Monday, April 12, 2021 Regular Council Meeting with the following amendment:

- Page 13 delete “OPPOSED: Councillor Lawrence Lee” and add “, Councillor Lawrence Lee” to the list of Council members In Favour in alphabetical order

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston,



Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

Council recessed at 5:41 p.m. and reconvened at 6:00 p.m.

5. PUBLIC HEARING

5.1. Land Use Bylaw Amendment 3357/G-2021. Rezoning in Evergreen Neighbourhood AI – Future Urban Development District to PI – Parks and Recreations District.

Mayor Tara Veer declared open the Public Hearing for Land Use Bylaw Amendment 3357/G-2021. Rezoning in Evergreen Neighbourhood AI – Future Urban Development District to PI – Parks and Recreation District. As no one was present to speak to the bylaw, Mayor Tara Veer declared the Public Hearing closed.

5.1.a. Consideration of Second Reading of Bylaw 3357/G-2021

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3357/G-2021 (an amendment to the Land Use Bylaw for Rezoning in the Evergreen Neighbourhood (Part of NW 1/4 Sec 26, 38-27-W4) from AI - Future Urban Development District to PI - Parks and Recreation District) be read a second time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

5.1.b. Consideration of Third Reading of Bylaw 3357/G-2021



Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

THIRD READING: That Bylaw 3357/G-2021 be read a third time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

6. REPORTS - continued

6.1. 2017 – 2019 Capital Information Report

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer having considered the report from Financial Services dated April 26, 2021 re: 2017 – 2019 Capital Information Report hereby approves the additional expenditures and funding source for the following projects:

1. 2018 Water Utility Infrastructure, \$348,813.50 from Water Capital Reserve
2. Professional Building Lease 2012, \$234,902.30 from Customer Contribution
3. 2010 Development Agreements, \$26,026.35 from Developer Contribution
4. 2012 Development Agreements, \$3,849.10 from Developer Contribution
5. 2013 Development Agreements, \$25,401.17 from Developer Contribution
6. 2016 Development Agreements, \$4,298.95 from Developer Contribution

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED



7. ADJOURNMENT

Moved by Councillor Lawrence Lee, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, April 26, 2021 Regular Council Meeting of Red Deer City Council at 6:21 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Tanya Handley

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Thursday, April 29, 2021
commenced at 1:04 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
General Manager Development & Protective Services, Tara Lodewyk
General Manager Community Services, Sarah Tittmore
General Manager Corporate & Employee Services, Lisa Perkins
Deputy General Manager Development & Protective Services, Ken McMullen
Legal & Legislative Services Manager, Michelle Baer
Engineering Services Manager, Konrad Dunbar
Manager of Planning, Emily Damberger
Safe & Healthy Communities Supervisor, Ryan Veldkamp
Safe & Healthy Communities Manager, Kristin Walsh

Present: Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey
Senior Administrative Assistant, Kristen Waddle

Absent: Councillor Tanya Handley



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Frank Wong, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Thursday, April 29, 2021 at 1:05 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Permanent Shelter - FOIP Section 23(1)(a) Local public body confidences, 24(1)(a) Advice from officials and 21(1)(a) Disclosure harmful to intergovernmental relations
- Provincial Land Matter - FOIP Section 23(1)(a) Local public body confidences, 24(1)(a) Advice from officials and 21(1)(a) Disclosure harmful to intergovernmental relations

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

I.1.a. Permanent Shelter - FOIP Section 23(1)(a) Local public body confidences, 24(1)(a) Advice from officials and 21(1)(a) Disclosure harmful to intergovernmental relations

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, General Manager Community Services Sarah Tittmore, General Manager Corporate & Employee Services Lisa Perkins, General Manager Development



& Protection Services Tara Lodewyk, Deputy General Manager Development & Protective Services Ken McMullen, Legal and Legislative Services Manager Michelle Baer, Associate City Solicitor Natasha Wirtanen, Chief of Staff Brad Koopmans, Engineering Services Manager Konrad Dunbar, Manager of Planning Emily Damberger, Safe & Healthy Communities Supervisor Ryan Veldkamp, Safe & Healthy Communities Manager Kristin Walsh, City Clerk Samantha Rodwell, Corporate Meeting Administrator Jennifer Hankey, Senior Administrative Assistant Kristen Waddle

Councillor Buck Buchanan left the meeting at 1:30 p.m. and returned at 1:33 p.m.

1.1.b. Provincial Land Matter - FOIP Section 23(1)(a) Local public body confidences, 24(1)(a) Advice from officials and 21(1)(a) Disclosure harmful to intergovernmental relations

The following people were in attendance for both items:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, General Manager Community Services Sarah Tittmore, General Manager Corporate & Employee Services Lisa Perkins, General Manager Development & Protection Services Tara Lodewyk, Deputy General Manager Development & Protective Services Ken McMullen, Legal and Legislative Services Manager Michelle Baer, Associate City Solicitor Natasha Wirtanen, Chief of Staff Brad Koopmans, Engineering Services Manager Konrad Dunbar, Manager of Planning Emily Damberger, Safe & Healthy Communities Supervisor Ryan Veldkamp, Safe & Healthy Communities Manager Kristin Walsh, City Clerk Samantha Rodwell, Corporate Meeting Administrator Jennifer Hankey, Senior Administrative Assistant Kristen Waddle

1.2. Motion to Revert to Open Meeting

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Thursday, April 29, 2021 at 3:13 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes



MOTION CARRIED

Council recessed at 3:13 p.m. and reconvened at 3:51 p.m.

2. BUSINESS ARISING FROM IN CAMERA

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

Resolved that Council of the City of Red Deer, having considered the In Camera Report dated April 29, 2021 re: Permanent Shelter, hereby directs Administration to complete an analysis as amended in the report and that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, Section 21(1)(a) Disclosure harmful to intergovernmental relations, 23(1)(a) Local public body confidences and 24(1)(a) Advice from officials.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the In Camera Report dated April 29, 2021 re: Provincial Land Matter, hereby endorses the recommendations of the In Camera Report regarding land matters in principle and agrees that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, Section 21(1)(a) Disclosure harmful to intergovernmental relations, 23(1)(a) Local public body confidences and 24(1)(a) Advice from officials.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

3. REPORTS

3.1. Emergency Housing Next Steps



Council recessed at 5:04 pm and reconvened at 5:12 p.m.

3.1.a. Consideration of First Reading of Land Use Bylaw Amendment 3357/M-2021

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

FIRST READING: That Bylaw 3357/M-2021 (an amendment to the Land Use Bylaw to extend the zoning at 5239 53 Avenue for a period of 12 months ending May 31, 2022) be read a first time.

Prior to consideration of first reading of the bylaw, the following motion to amend was introduced:

Moved by Mayor Veer, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3357/M-2021 as follows:

- Section I – by deleting “5239 – 53 Avenue (Lots 4-5, Plan 6233RS)” and replacing it with “Unit 4 - 5239 – 53 Avenue (Lots 4-5, Plan 6233RS) in existing building, and corresponding lot area for parking, fenced courtyard and north door outdoor areas as identified on Land Use Bylaw District Map L15”
- Schedule A – By amending Land Use Bylaw District Map L15 by removing the crosshatching from 5239 – 53 Avenue and apply crosshatching to Unit 4 – 5239 – 53 Avenue in existing building, and corresponding lot area for parking, fenced courtyard and north door outdoor areas

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wytjes

MOTION TO AMEND CARRIED

First reading, as amended was then back on the floor:

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

FIRST READING: That Bylaw 3357/M-2021 (an amendment to the Land Use Bylaw to extend the zoning at Unit 4 - 5239 – 53 Avenue (Lots 4-5, Plan 6233RS) in existing building, and corresponding lot area for parking, fenced courtyard and north door outdoor



areas as identified on Land Use Bylaw District Map L15 for a period of 12 months ending May 31, 2022) be read a first time as amended.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 6:19 p.m. and reconvened at 6:23 p.m.

5. ADJOURNMENT

Moved by Councillor Dianne Wyntjes, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Thursday, April 29, 2021 Regular Council Meeting of Red Deer City Council at 6:26 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Special Meeting
held on, Monday, May 3, 2021
commenced at 1:04 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
General Manager Corporate & Employee Services, Lisa Perkins
Human Resource Manager, Tracy Bruce
Chief of Staff, Brad Koopmans

Present: City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey

Absent: Councillor Tanya Handley



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Monday, May 3, 2021 at 1:04 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Human Resources Matter – FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

I.1.a. Human Resources Matter – FOIP 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

General Manager Corporate & Employee Services Lisa Perkins, Human Resource Manager Tracy Bruce, Chief of Staff Brad Koopmans, Deputy City Clerk Samantha Rodwell

General Manager Corporate & Employee Services Lisa Perkins, Human Resource Manager Tracy Bruce left at 1:31 p.m.

I.2. Motion to Revert to Open Meeting



Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, May 3, 2021 at 2:23 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 2:23 p.m. and reconvened at 2:46 p.m.

2. BUSINESS ARISING FROM IN CAMERA

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the In Camera report from Corporate & Employee Services dated May 3, 2021 re: Human Resources Matter hereby endorses Recommendation 2(a) as presented In Camera and agrees the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, Section 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer, having considered the In Camera report from the General Manager of Corporate and Employee Services dated May 3, 2021 re: Human Resources Matter hereby approves the City Manager Recruitment Committee Terms of Reference as follows:

**City Manager Recruitment Committee
Terms of Reference**

Whereas, pursuant to Committees Bylaw 3576/2016 Council may establish ad hoc



committees of Council and prescribe their functions, membership, procedure and rules for conduct;

Council of The City of Red Deer hereby establishes the City Manager Recruitment Committee.

Purpose:

1. The Committee's mandate is to provide oversight to the recruitment process and approve the processes that will be followed to recruit a new City Manager.

Committee Outcomes:

2. The City Manager Recruitment Committee will fulfill its mandate by:
 - a. Establishing and approving the procurement/selection process that will be employed by the City to procure an external recruitment firm;
 - b. Reviewing the submissions from external recruitment firms, if engaged;
 - c. Conducting interviews and evaluating the submissions from external recruitment firms;
 - d. Working with the external recruitment firm to develop a City Manager position profile and compensation package for Council's consideration;
 - e. Establishing the geographic scope of the recruitment effort – local, national or international with input from Council;
 - f. Establishing the long and short lists of candidates;
 - g. Working with the external recruitment firm to develop interview questions, and evaluation criteria for review and input by Council;
 - h. Reviewing submissions from candidates for the City Manager's position, developing questions for screening interviews and conducting them as the Committee deems appropriate;
 - i. Completing screening interviews;
 - j. Recommending a short list of candidates to Council;
 - k. With the assistance of the external recruitment firm, negotiating the terms and conditions in the employment contract in accordance with Council's direction;
 - l. Managing the recruitment process including giving direction to the external recruiter and to administration;
 - m. Providing regular progress updates to Red Deer City Council;
 - n. Providing regular progress updates as appropriate to City Administration; and
 - o. Providing regular updates as appropriate to the community.

Council's Role:

3. Council approval is required for the following matters in relation to the recruitment and hiring of the City Manager:
 - a. Budget and source of funds for recruitment;
 - b. Appointment of the external recruitment firm that will conduct the recruitment effort;
 - c. Provide input to the Recruitment Committee;
 - d. Terms of the offer of employment; and
 - e. Terms and conditions of the employment contract.



4. Council will serve as the selection committee, interview the short list of candidates, and appoint the successful candidate to the position of City Manager.

Membership & Procedures:

5. The Committee will be comprised of the Mayor and three Councillors appointed as appointed by the Mayor and ratified by Council and will follow the terms of the Committees Bylaw.
6. Members will remain on the Committee until a new City Manager is appointed.
7. Quorum is established by the attendance of a majority of the members of the Committee at a meeting.
8. The Mayor will act as chair of the Committee, but in her absence, the chair will be one of the other members of the Committee.
9. The Agendas and Minutes of the Recruitment Committee are protected from disclosure under the Freedom of Information and Protection of Privacy Act, but will be circulated to members of Red Deer City Council.

Chief of Staff Role:

10. Chief of Staff is advisory to the Recruitment and Selection Committee, and may perform the following duties and functions in accordance with City of Red Deer policy for the Committee if requested in coordinating:
 - a. The preparation of the competitive procurement process including development of an evaluation matrix, based on the Committee's criteria, for preparing the recommendation of a consultant for Council's consideration;
 - b. Provision of professional advice on recruitment processes and options as required;
 - c. Facilitate the preparation of Council reports for the Committee;
 - d. Take direction from the Committee on matters relating to the City Manager recruitment process, but in as much as is possible, refrain from any active participation in the recruitment; and
 - e. Based on feedback from the committee, Council and administration prepare a report on the recruitment process including recommendations for future process changes and improvements.

Legislative Services Roles:

11. The Legislative Services will perform the following duties and functions for the Committee at the direction of the Chief of Staff:
 - a. Publish the Committee's meeting schedules and notices;
 - b. Provide technical, administrative, meeting management and other supports required for meetings;
 - c. Manage the Committee's records and minutes;
 - d. Provide information and records as requested by the Committee;



- e. Support the preparation of Council reports for the Committee; and
Take direction from the Committee through the Chief of Staff on matters relating to the City Manager recruitment process, and refrain from any active participation in the recruitment.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer, having considered the In Camera report from the General Manager of Corporate and Employee Services dated May 3, 2021 re: Human Resources Matter hereby ratifies the appointment of following members to the City Manager Recruitment Committee:

1. Mayor Tara Veer (as per Section 153 of the Municipal Government Act)
2. Councillor Michael Dawe
3. Councillor Vesna Higham
4. Councillor Dianne Wyntjes

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

3. ADJOURNMENT

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, May 3, 2021 Special Council Meeting of Red Deer City Council at 3:17 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



City Council Special Meeting Minutes
UNAPPROVED – Monday, May 3, 2021

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Special Meeting
held on, Monday, May 4, 2021
commenced at 1:05 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
General Manager Corporate & Employee Services, Lisa Perkins
Legal & Legislative Services Manager, Michelle Baer

Present: Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey

Absent: Councillor Tanya Handley



Councillor Ken Johnston declared a Conflict of Interest due to his involvement in the matter and left the meeting at 1:06 p.m.

Mayor Tara Veer declared a Conflict of Interest due to her involvement in the matter and left the meeting at 1:06 p.m. Councillor Dawe assumed the Chair at this time.

I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Tuesday, May 4, 2021 at 1:07 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Human Resources Matter – FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Buck Buchanan, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Ken Johnston

MOTION CARRIED

I.1.a. Human Resources Matter – FOIP 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

The following people were in attendance:

Deputy Mayor Michael Dawe, Councillor Buck Buchanan, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, General Manager Corporate & Employee Services Lisa Perkins, Legal & Legislative Services Manager Michelle Baer, Deputy City Clerk Samantha Rodwell



Council recessed at 1:48 p.m. and reconvened at 1:55 p.m.

I.2. Motion to Revert to Open Meeting

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Tuesday, May 4, 2021 at 1:57 p.m.

IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Buck Buchanan, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Ken Johnston

MOTION CARRIED

Councillor Buck Buchanan declared a Conflict of Interest due to his involvement in the matter and left the meeting at 1:59 p.m.

I.3. Motion to In Camera

Moved by Councillor Vesna Higham, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Tuesday, May 4, 2021 at 2:00 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Human Resources Matter – FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Ken Johnston



MOTION CARRIED

1.3.a. Human Resources Matter – FOIP 17(4) Disclosure harmful to personal privacy and 24(1) Advice from officials

The following people were in attendance:

Deputy Mayor Michael Dawe, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, General Manager Corporate & Employee Services Lisa Perkins, Legal & Legislative Services Manager Michelle Baer, Deputy City Clerk Samantha Rodwell

1.4. Motion to Revert to Open Meeting

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Tuesday, May 4, 2021 at 3:29 p.m.

IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Ken Johnston

MOTION CARRIED

2. BUSINESS ARISING FROM IN CAMERA

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer having considered the In Camera report from Legal & Legislative Services dated May 4, 2021, hereby:

1. Appoints a third party independent investigator in accordance with Code of Conduct Bylaw 3608/2018 to investigate and report on a complaint dated April 15, 2021. Council delegates to the City Manager the authority to select an Investigator.
2. Directs Administration to enter into a contract for services with the third party investigator based on terms satisfactory to the City Solicitor.



IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Ken Johnston

MOTION CARRIED

3. ADJOURNMENT

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Tuesday, May 4, 2021 Special Council Meeting of Red Deer City Council at 3:33 p.m.

IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Ken Johnston

MOTION CARRIED

MAYOR

CITY CLERK



May 10, 2021

Red Deer Regional Airport – Strategic Plan Update

Prepared by: John Sennema, Manager

Department: Land & Economic Development

Report Summary

The Red Deer Regional Airport is owned by the City of Red Deer and Red Deer County. Each municipality appoints six members to their Board of Directors. The two municipalities provide funding to the airport.

Graham Ingham, Chief Executive Officer, Red Deer Regional Airport will be presenting to City Council an update on the Airport's strategic initiatives.

It is recommended that Council receive this presentation as information.



May 10, 2021

Appointment of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) Chairperson

Prepared by: Lynn Van Laar, Committees Coordinator
Department: Legal & Legislative Services

Report Summary & Recommendation

Council appoints citizens to various Council Committees, quasi-judicial boards, and external boards and societies.

It is recommended that Council appoints a Chairperson to the Intermunicipal Subdivision and Development Appeal Board (ISDAB) in conjunction with Red Deer County Council to fill an unexpired term until the 2023 Organizational Meeting.

Proposed Resolution

Resolved that Council of The City of Red Deer, having considered the report from Legal & Legislative Services dated May 10, 2021 re: Appointment of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) Chairperson, hereby endorses the appointment of _____ as Chairperson of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) to fill the unexpired term of Don Sibbald (to the 2023 Organizational Meeting).

Background

Intermunicipal Subdivision & Development Appeal Board Bylaw 3408/2008 states:

4. The Board shall consist of seven (7) members appointed for a term not to exceed three (3) years, as follow:

(a) Three (3) members from each Municipality; notwithstanding the provisions of the IDP, neither Council shall appoint a County of City Councillor to site on the Board unless the two municipalities sign a separate agreement allowing for the appointment of one Councillor from each municipality;

(b) A Chairperson agreed upon by both Municipal Councils, or where Councils cannot agree, appointed by a judge of the Court of Queen's Bench of Alberta; . . .

In October 2020 both Red Deer County Council and City of Red Deer Council recommended the appointment of Don Sibbald as Chairperson of the ISDAB for a three year term (to expire at the 2023 Organizational Meeting). Due to the passing of Don Sibbald in January 2021 a new Chairperson is to be appointed.

The Nomination Committee advises Council on Committee appointments, based on criteria established for each committee, in order to ensure the optimal functioning of all committees.



The Nomination Committee met on April 27, 2021 to review applications received for Chairperson of the ISDAB. The Committee made their recommendation to Council In Camera.

Red Deer County Council is expected to ratify their appointment on May 11, 2021.



May 10, 2021

Budget Request - Environmental Initiatives Program Specialist

Prepared by: Ray MacIntosh, Chief Financial Officer
Department: Financial Services

Report Summary & Recommendation

In 2019 City Council approved a FAR to hire a Climate Change Specialist for two years using a cost sharing grant from the Federation of Canadian Municipalities (FCM). The program had a deadline of March 31, 2021 and due to a lack of staffing resources the grant was not pursued and not included in the 2021 budget. The deadline has been extended to March 31, 2022 and the department would like to pursue hiring a temporary Environmental Program Specialist using the cost sharing staff grant from the Federation of Canadian Municipalities.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Financial Services department, dated May 10, 2021 re: Budget Request – Environmental Initiatives Program Specialist, hereby agrees to the creation of a temporary position to hire a Climate Change Specialist for two years using a cost sharing staff grant from the Federation of Canadian Municipalities that covers 80% of the cost to a maximum of \$125,000 with 20% municipal matching from reserves.

Background

In the 2019 budget, City Council approved a FAR to hire a Climate Change Specialist for two years using a cost sharing staff grant from the Federation of Canadian Municipalities. The grant covers 80% of the cost of a staff person to a maximum of \$125,000. The purpose of the grant is to help mid-sized municipalities implement initiatives to reduce greenhouse gas (GHG) emissions as prescribed by FCM's Municipalities for Climate Innovation Program.

There are five milestones in the Municipalities for Climate Innovation Program, and reimbursement is based on achieving those milestones.

Requirement	Status
Local action plan to reduce emissions in the community approved by Council and informed by stakeholders	The Community Energy & Emissions Plan is a local action plan. Stakeholder consultation occurred between 2015 and 2017



Governance or authority body identified to monitor implementation of reduction initiatives	No action taken to date
Implementation roles & responsibilities assigned	No action taken to date
Target set and reductions quantified	The target was adopted by Council as part of the refreshed EMP. Reduction potential is quantified in the Community Energy & Emissions Plan
Systems in place to track progress	Emissions for The City as an organization and for the Community are in place as part of EMP annual reporting
Assess costs to implement initiatives and allocate funding	No action taken to date

Originally, the program had a deadline of March 31, 2021 for completion and due to a lack of staffing resources administration did not pursue the grant and was therefore not included in the 2021 budget.

The grant program has extended the deadline to March 31, 2022, and administration feels this a worthwhile pursuit. Safe & Healthy Communities requests to hire an Environmental Initiatives Program Specialist on a temporary basis from May 1, 2021 to March 31, 2022.

Prior Council/Committee Direction:

- The position and related FCM grant is currently NOT included in the 2021 budget.

Legislative Context:

- Section 248(1) of the Municipal Government Act stipulates that a municipality may only make an expenditure this is:
 - (a) Included in a operating budget, interim operating budget or capital budget or otherwise approved by the council

Strategic Alignment:

This position aligns with and supports the 2019 Environmental Master Plan by assisting in monitoring the City's impact on greenhouse gas emissions. "To improve air quality and reduce emissions" is a stated goal.

Policy Linkage:

A copy of the 2019 Environmental Master Plan can be found on The City's website.

Stakeholder Consultation:



- The Federation of Canadian Municipalities has been contacted to ensure the City of Red Deer is eligible.
- The City's Environmental Services department has requested this term position.

Operational Impacts

This is a temporary position and will impact our 2021 and 2022 budgets.

Financial:

The projected cost and funding would be as follows:

	2021	2022
Cost	61,253	22,970
Funding:		
FCM Grant Funding (80%)	(49,003)	(18,376)
Water Utility Capital Reserve	(2,450)	(919)
Wastewater Utility Capital Reserve	(2,450)	(919)
Waste Management Capital Reserve	(2,450)	(919)
EL&P Capital Reserve	(2,450)	(919)
Operating Reserve – Tax Supported	(2,450)	(919)

There is no tax impact with the approval of this temporary position with 20% or \$16,844 in funding from reserves.

Analysis

The creation of this temporary position aids in fulfilling the City's environmental goal of monitoring the impact of greenhouse gas emissions. With an 80% funded grant program from the Federation of Canadian Municipalities and the remaining 20% coming from reserve, there is no tax impact.

Options:

Option #1:

Council approves the temporary position and use of reserves to fund 20% of the position.

Pro

- The City has additional resources to monitor greenhouse gas emissions.

Con

- A total of \$12,251 in 2021 and \$4,594 in 2022 is transferred from reserves to fund the position.



Option #2:

Council denies the temporary position.

Pro

- Additional funds are not used from reserves.

Con

- The City does not take advantage of FCM grant funding.
- An opportunity to advance the goals of the Environmental Master Plan is missed.

Recommended Option:

Administration recommends that Council allow the creation of a temporary position.



May 10, 2021

E-Scooter Pilot

Prepared by: Amy Fengstad, Parking and Licensing Supervisor
Department: Inspections and Licensing

Report Summary & Recommendation

Administration is seeking Council approval to implement an Electric Scooter (E-Scooter) pilot project for a two-year term. Following several inquiries from private businesses, Administration conducted a review of the pilot programs ran in Calgary and Edmonton to determine if this would be a good fit for Red Deer.

Administrative analysis of those pilots identified a potential opportunity for the City of Red Deer. As it would be difficult to determine the success of the program in our municipal setting based on Calgary and Edmonton, Administration recommends trialing E-Scooters for a two-year term and evaluating following that term to guide the ongoing nature of E-Scooters in Red Deer.

Proposed Resolutions

Resolved that Council of The City of Red Deer having considered the reports from Inspections & Licensing, dated May 10, 2021 re: E-Scooters, hereby approves the two-year E-Scooter Pilot program, starting on July 1, 2021 and ending October 31, 2023 with no limits on the number of companies or E-Scooters.

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing, dated May 10, 2021 re: E-Scooters, hereby approves a one-time allocation of \$15,000 in the Operating Reserve Tax Supported budget for communication costs.

That Bylaw 3609/A-2021 be read a first time.

That Bylaw 3186/A-2021 be read a first time.

That Bylaw 3255/A-2021 be read a first time.

Rationale for Recommendation

- 1) **The two-year pilot provides an opportunity to trial E-Scooters and how they would be received and used by Red Deer's citizens.** The two seasons of usage and feedback provides Administration the information to review and determine if this business model would work well long term.

- 2) **E-Scooters aligns with The City's Multimodal Transportation Plan.** This pilot helps determine if E-Scooters help achieve The City's stated mobility goals in our Multimodal Transportation Plan.
- 3) **Supports business initiatives for Red Deer.** The two-year pilot opens the door for new opportunities, with potential of longer-term options. With the current inquiries from interested businesses, this pilot would provide the opportunity for them to also trial Red Deer for their market and profitability analysis before making longer-term decisions on this market.
- 4) **Supports the City's strategic plan.** Aligns with the goal of being a four-season destination where visitors and residents enjoy our parks, trails and distinctive amenities, all within our "city in a park". E-Scooters would provide the opportunity for visitors and citizens to enjoy our parks, trails and amenities in a new and fun way!

Background

Electric Scooters (E-Scooters) are a motor vehicle that are capable of being propelled by muscular power, but may be propelled by one or more electric motors. They have steering handle bars and consist of a footboard mount on two or three wheels. Here is a sample photo for reference.



In the summer of 2020, E-Scooter businesses expressed an initial interest in opening in Red Deer. Those inquiries prompted the more detailed look at Calgary and Edmonton's pilot programs and the learnings from those pilots. Administration received more inquiries in winter 2020 and early in 2021. Reviewing the successes and challenges for our neighbouring municipalities, Administration feels this would be a good opportunity for Red Deer.

Analysis

Within the two-year pilot program concept, Administration explored a few options on how to navigate within that term. Those options were:

Option 1 – Open Market – no caps on the number of businesses that can apply to the program or the number of E-Scooters the businesses can bring into the pilot. This will allow for the market in Red Deer to determine the demand and the ongoing nature of what E-Scooters look like in Red Deer.

Option 2 – Cap on the number of businesses – a proposed cap on the number of E-Scooter businesses that could enter the pilot program. Administration discussed this option; however felt that the selection process with a cap on businesses would not make this a fair and equitable process. If all applications met the application and selection criteria, the challenge would be in determine who is permitted to open and who is not.

Option 3 – Cap on the number of E-Scooters per business with no cap on the number of businesses. Administration was challenged with this option as well. It would be difficult to pick a cap on E-Scooters as each business would have different operational costs and a cap could hinder the ability of a business to enter Red Deer from a financial standpoint, not allowing for a fully equitable pilot. The City would not be able to determine or estimate ridership for our City. Proposing a cap on the number of E-Scooters a business could run may force some out of the pilot from a viability standpoint.

After looking at these three options, Administration is recommending Option 1 for the pilot program with the understanding that a review will be conducted on the pilot program and make recommendations moving forward under a more permanent structure, should the program be successful.

Administration has received letters of support from the DBA and Tourism Red Deer, which are included in Appendix L of your package. These letters comment on the economic benefit and tourism factors that E-Scooters can bring, allowing tourist and residents an opportunity to explore our amazing trails within Red Deer. Tourism Red Deer, commented, “I truly feel this would be a great step in the right direction in offering something new to our locals and visitors.”

Implementation Plan:

If approved by Council, Administration would prepare the application details and advertise the pilot program for a quick implementation. We would have all applications of interest submitted by June 2nd with approvals granted by June 11th. The successful applicants could launch when they have received their approval or are fully ready to roll out their program.

The City would develop a strong communication plan, website updates, and advertising to inform citizens the pilot program is up and running. Similar to Calgary and Edmonton, Administration would work with the successful applicants to have consistent messaging between the businesses themselves and City materials. The City would take an active role in engaging citizens and informing them on safety, COVID and E-Scooters and complaint management.

Licensing agreements would be set up with each E-Scooter business, outlining the conditions of operations, the deposits, how those will function, and the term of the pilots. Administration would require deposits for damages and educational components, like Calgary, to offset costs for The City.

Costs incurred by The City for property repair or for removing and storing E-Scooters will be charged against the security deposit as outlined in the licensing agreements. This will also be used to recover costs if a permit holder fails to remove their E-Scooters from all public right of ways, parks and City property. The security deposits will be \$25 per E-Scooter or a minimum of \$5,000. If the security deposit is utilized, the business would have to top up the deposit back to \$5,000.

Drop Locations:

Administration has explored drop points on City infrastructure that could be used for E-Scooters. The pilot is recommended to be the dockless E-Scooters, so the charging stations do not need to be installed on City Lands or infrastructure. That process would require development approval and is something we could explore following the review of the pilot program. Suggestions for drop off locations would be recreation facilities, transit bus stops (in use and not in use), parking stalls in the downtown, city parking lots and community centres.

Risks and Concerns:

E-Scooters are growing in popularity and are another mode of transportation for citizens. With the recommendation for the pilot program to be on trails and sidewalks only, Administration felt the risk of having E-Scooters on a roadway and low speeds was a far greater safety concern, than E-Scooters on a sidewalk or paved trail. User safety rules and communication will need to come from both The City and the E-Scooter businesses.

The other concern is around the risks associated with the E-Scooters potentially ending up in rivers, ponds or involved in other acts of vandalism. There would be a larger draw on City resources for these issues, which was experienced in Calgary and Edmonton during their pilot programs. With these risks in mind, the E-Scooter companies would be required to hold commercial general liability insurance, property insurance and automobile third party liability insurance to cover possible risks associated with the use of E-Scooters.

When scooters are permitted to operate in a municipality, they are given an exception to the provisions of the Traffic Safety Act, which would otherwise bar a powered vehicle from operating on the sidewalks. Rather than enforcing safety rules through provincial legislation or regulations, rules applicable to scooters must be set out in bylaws. To ensure we have suitable tools for enforcement, the necessary bylaw amendments are included with this proposal should Council endorse the pilot.

The bylaw amendments are:

1. *Business Licence Bylaw 3609/2018*; adding a new section on the E-Scooter business requirements and adding definitions for E-Scooters. Addition of penalties for infractions under the amendments.
2. *Traffic Bylaw 3186/97*; amending sections 20, 22.1, 32.1, and 102 of the bylaw to permit the use of E-Scooters and adding definitions for E-Scooters.
3. *Parks and Public Facilities Bylaw 3255/2000*; amending the bylaw to permit the use of E-Scooters on the sidewalks and paved trails, where bikes are permitted and adding definitions for E-Scooters.

Required Resources:

This pilot program is the mechanism to identify future budgetary requirements. The pilot concept is to gain information for future planning, as the market interest for Red Deer is currently unknown, as well as the operational impacts to The City.

The resources required for this pilot would be administrative time for processing the applications, potential for Parks and Public Works time to pick up E-Scooters left on our trail systems, in the river or in unsafe locations, like roadways and crosswalks. The cost for The City to pick up would be the hourly rate of \$35.74/hr plus a truck at \$20.00/hr.

There is also an enforcement component, where accidents and vandalism with an E-Scooter would require RCMP and Municipal Policing supports. In addition, if E-Scooter users are not operating the scooter within the requirements, there may be enforcement required. Failure of the business to operate within their licensing agreement or City bylaws would require enforcement through either Licence Inspectors or other Enforcement Officers.

Communication costs for social media and website development, signage creation and a communication plan for citizens are approximately \$10,000-\$15,000, which would be covered within existing budgets until we can understand the full impacts of the pilot on budgets.

Complaints:

Complaints received by The City would be entered into the Work Order Management System (WMS) and then directed to the businesses for first response. Then, if they not dealt with or if the complaint were deemed an imminent safety concern, they would be referred to Public Works, report a problem. The WMS system would allow us to track the volume and type of complaints received for review after each year and we would charge back to the businesses for any time needed to pick up E-Scooters parked in an unsafe location.

Review after the Pilot:

The term for the pilot is planned from July 1, 2021 until October 31, 2023. Through public engagement, monitoring complaint calls to The City, studying overall usage data and reviewing customer surveys, The City will determine whether and under what circumstances E-Scooters will be permitted to continue operating in the public after the pilot ends.

Following the review, Administration will return to Council with recommendations, and bylaw amendments, if necessary.

Summary

In summary, Administration is recommending Council approve a two-year pilot program, with Option 1, no cap on the number of E-Scooters or the number of businesses, where the data and feedback can be collected and reviewed to assess the ongoing demand and viability of E-Scooters in our City. The recommendation is based on the structures that have worked in Calgary and Edmonton but do come with some risks. With the current interest of business investment in Red Deer and the alignment with the Multi-modal Transportation Plan, it would be worth the exploration and pilot of E-Scooter operations.

Administration recommends Council adopt the proposed amendments to the *Traffic Bylaw*, *Business Licence Bylaw*, and *Parks and Public Facilities Bylaw* to support the implementation of the pilot program. Further, that Council approve a one time funding allocation for communication costs associated with the program.

Appendices

Appendix A: Municipal Review

Appendix B: Provincial Application form

Appendix C: *Business Licence Bylaw No. 3609/A-2021* amendment

Appendix D: *Business Licence Bylaw No. 3609/A-2021* strikethrough version

Appendix E: *Business Licence Bylaw No. 3609/A-2021* clean version

Appendix F: *Parks and Public Facilities Bylaw No. 3255/A-2021* amendment

Appendix G: *Parks and Public Facilities Bylaw No. 3255/A-2021* strikethrough version

Appendix H: *Parks and Public Facilities Bylaw No. 3255/A- 2021* clean version

Appendix I: *Traffic Bylaw No. 3186/A-2021* amendment

Appendix J: *Traffic Bylaw No. 3186/A-2021* strikethrough version

Appendix K: *Traffic Bylaw No. 3186/A-2021* clean version

Appendix L: Letters of Support from Tourism Red Deer and Downtown Business Association

Appendix A

Municipal Review

Appendix A: Municipal Review

Calgary and Edmonton are the only other Municipalities that have permitted E-Scooters. Administration reviewed the pilot projects implemented in Calgary and Edmonton and considered their learnings. Both cities had challenges but were able to make modifications to the programs and are running these for the third year. Calgary has decided to make this a permanent service and are going to procurement for their City. Edmonton has extended the pilot program for another year.

	Calgary	Edmonton
Use permitted	On sidewalks or paved trails only.	Roadways and bikelanes where the max speed is 50 km/hr or less.
Limit on the # of Businesses	None	None
Limit on the # of E-Scooters	2,500 city wide. 1,000 max per approved vendor.	No limit. In September 2020 they were at 2,693.
Pilot program timeframe	July 2019-October 2020	August 2019-October 2020
Current status	Extending and making program permanent. Going to RFP for City wide vendor selection.	Extended pilot program to winter 2021.


Other data from early adopter cities in North America have demonstrated a wide range of benefits, including:

1. Relieving congestion and reducing carbon emissions by replacing car trips;
2. Filling in the gap for the vital first/last kilometre by encouraging people to walk, cycle and take public transit more often;
3. Saving time on short trips;
4. Being inclusive for all demographics, but particularly among those for whom varied transportation options have remained out of reach; and
5. Improving people's physical health by being more physically active.

Appendix B

Provincial Application Form

Appendix B: Provincial Application Form

	<p align="center">Permitting & Approvals Application Form</p>	<p align="center">E-Scooter Exemption Permit Request <small>Last Modified: June 26, 2020</small></p>
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Alberta Transportation E-Scooter Exemption Permit Request Form

Part 1, Application

Name of Organization:		MVID:
Contact Name:	Phone Number:	
Mailing Address:		
City:	Province:	Postal Code:
Email Address:		

Part 2, Safety Requirements: *Please check YES or NO for all of the following.*

All riders are 16 years of age or older:	<input type="radio"/> Yes <input type="radio"/> No
All riders and/or company has insurance policy required by local municipality:	<input type="radio"/> Yes <input type="radio"/> No
The e-scooter is equipped with a horn or bell:	<input type="radio"/> Yes <input type="radio"/> No
The e-scooter is equipped with forward-facing headlamp at the front, and a rearward-facing tail lamp at the rear:	<input type="radio"/> Yes <input type="radio"/> No
The e-scooter is equipped with a rearward facing brake lamp at the rear:	<input type="radio"/> Yes <input type="radio"/> No
The e-scooter is equipped with reflectors or retro-reflective surfaces: Yes or No	<input type="radio"/> Yes <input type="radio"/> No
The e-scooter is equipped with an adequate braking system: Yes or No	<input type="radio"/> Yes <input type="radio"/> No
If you have answered NO to any of the above statements, please explain why:	

	Permitting & Approvals Application Form	E-Scooter Exemption Permit Request <small>Last Modified: June 26, 2020</small>
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Part 3, Vehicle Information

Fleet Size	Make/Model

Part 4, Application Checklist: *Please submit following documentation with application form.*

- Municipal Letter of Support
- Vehicle Specifications Sheet

Part 5, Certification

I certify that I understand and agree to abide by the above requirements, and that information provided in this application is true and correct.

--	--

Print Name

Signature

--

Date

Payment Method:

A \$55.00 fee will be charged upon approval of your permit application. An email link will be sent to the email listed below for credit card payment.

Email:

Appendix C

Business Licence Bylaw No. 3609/A-2021 amendment

Bylaw 3609/A-2021

Being a bylaw to amend Bylaw 3609/A-2021, Business Licence Bylaw.

COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, AMENDS
BYLAW 3609/2018 AS FOLLOWS:

- I Section 2 is amended by adding the following text as new subsection, in alphabetical order, and amending the subsection numbering as necessary:
 - (i) "E-scooter" means a motor vehicle that:
 - i) Has been granted a permit to operate by the province of Alberta;
 - ii) Has steering handlebars;
 - iii) Consists of a footboard mount on two or three wheels;
 - iv) While capable of being propelled by muscular power, may be propelled by one or more electric motors.

- 2 Section 56 is amended by deleting the words "Schedule J" and replacing with "Schedule K".

- 3 Section 57 is amended by deleting the words "Schedule J" and replacing with "Schedule K".

- 4 Schedule A, Section I is amended by adding the following:

(g) Electric Scooters	\$600.00
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- 5 After Schedule I insert 'Schedule J as attached and renumber the former Schedule J to Schedule K.

- 6 Schedule K is amended by adding the following at the bottom of the Schedule, below the penalties applicable to Late Night Clubs:

Applicable to Electric Scooters				
Schedule "J" 1(a)	Failure to obtain and keep provincial approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 1(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500

Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones and have the E-Scooters removed.	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500

7 Any references to other sections modified by this amendment are updated to reflect the new numbers of the sections.

8 This Bylaw shall come into force and effect on the day it is passed.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of , 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of , 2021.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , 2021.

 MAYOR

 CITY CLERK

Schedule “J”
Electric Scooters (E-Scooters)

Application for a Licence

1. In addition to any other requirements of this bylaw, a Person wishing to obtain a licence for an Electric Scooter (E-Scooter) business must submit to the City Manager, in a form or with such supporting documentation acceptable to the City Manager:
 - (a) Evidence the Person obtained provincial approval to operate E-Scooters;
 - (b) Evidence the Person obtained commercial general liability insurance, property insurance and automobile third party liability insurance in respect of the E-Scooter business;
 - (c) A security deposit, calculated as \$25.00 for each E-Scooter the business will deploy in the city of Red Deer but not less than \$5000 or more than \$15,000;
 - (d) A fee of \$15.00 per E-Scooter the business will deploy in the city of Red Deer, but not more than \$5000 in total, for the City to offset expenses arising from educating the public about E-Scooter operations and managing the E-Scooter program; and
 - (e) Such other documentation as the City Manager may require to verify the Person’s agreement to fulfill the obligations set out in this schedule.

2. The licence holder for an Electric Scooter Business must:
 - (a) Notify the City immediately in writing if provincial approval for the operation of e-scooters is not renewed or is withdrawn;
 - (b) Report to the City if an E-Scooter is involved in an accident, crime or acts of vandalism;
 - (c) Provide such other information the City Manager may require to effectively monitor and evaluate E-scooter presence in Red Deer;
 - (d) Pick up e-scooters abandoned in non-approved zones daily;
 - (e) Respond to complaints within three (3) hours;
 - (f) Remove E-scooters from the City between November 1 and March 15 each year;
 - (g) Disclose to the City the transmission frequency, geographic accuracy, and margin for error of the global positioning system (GPS) tracking capability each E-Scooter requires under section 3 of this Schedule; and
 - (h) Not rent an E-scooter to a rider less than eighteen (18) years of age.

3. If an E-Scooter business fails to comply with the requirements of section 2 of this schedule, the City Manager may immediately revoke the business license of that E-Scooter business.
4. All E-Scooters must be equipped with the following:
 - (a) Hardware to enable tracking of E-Scooters via the global positioning system (GPS);
 - (b) A kickstand, bell and lights;
 - (c) A speed-limiting system restricting maximum speeds to twenty (20) kilometers per hour in any area of the city and fifteen (15) kilometers per hour in zones designated by the City Manager pursuant to section 5 of this schedule.”
 - (d) Visible individual markings or unit numbers,
 - (e) E-Scooters must be the dockless type for the pilot program; and
 - (f) An internal electronic lock operable wirelessly by mobile phone application.
5. With written notice provided not less than seven (7) days in advance, the City Manager may establish or alter prohibited and approved locations for the operation or parking of E-Scooters, or geographic zones where maximum speed limits must be reduced to fifteen (15) kilometers per hour.
6. The security deposit required under section 1 (c) of this schedule shall be forfeited to the City, in whole or in part:
 - (a) If the operation of an E-Scooter results in damage to public or third-party property or injury to the E-Scooter rider or any other Person, or

If the City incurs costs to retrieve, relocate or store E-Scooters because of an E-Scooter business’s noncompliance with this or any other City bylaw.
7. Successful applicants will enter into a licensing agreement with the City of Red Deer

Appendix D

Business Licence Bylaw No. 3609/A-2021 strikethrough version

BYLAW NO. 3609/2018

A Bylaw to licence and regulate businesses within the City of Red Deer.

THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Business Licence Bylaw.
2. In this Bylaw:
 - (a) **“Business”** means:
 - i. a commercial, merchandising or industrial activity or undertaking;
 - ii. a profession, trade, occupation, calling or employment; or
 - iii. an activity providing goods or services,whether or not for profit and however organized or formed, including a co-operative or association of Persons;
 - (b) **“Cannabis”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis;
 - (c) **“Cannabis Production Facility”** means any building in which an activity authorized by the Medical Marihuana Production Regulations, SOR/2013-119, or any successor or replacement legislation or regulation, is or may be conducted, including such activities as growing, producing, labelling, packaging, storing and transporting of cannabis;
 - (d) **“Cannabis Retail Sales”** means a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are lawfully sold to individuals who attend at the Premises;
 - (e) **“Carry On”, “Carrying On”, “Carried On” and “Carries On”** means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
 - (f) **“City”** means the City of Red Deer;
 - (g) **“Direct Seller”** means the activities of soliciting, negotiating or concluding in person, at any place other than the seller’s place of business, sales contracts, including direct sales contracts to which Part 3 of the *Fair Trading Act* applies, for the provision of goods or services, where the

buyer is a consumer, as per the *Designation Of Trades And Businesses Regulation*, Alberta Regulation 178/1999;

- (h) **"Drinking Establishment"** means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the Premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the Premises, take-out food services, the sale of alcoholic beverages for consumption away from the Premises, and entertainment. A Drinking Establishment includes any Premises in respect of which a "Class A" Liquor Licence has been issued by the Alberta Gaming and Liquor Commission and where the terms of the licence prohibit minors;
- (i) **"Electric Scooters (E-Scooters)"** motor vehicle that:
- i. Has been granted a permit to operate by the province of Alberta;
 - ii. Has steering handlebars;
 - iii. Consists of a footboard mount on two or three wheels;
 - iv. While capable of being propelled by muscular power, may be propelled by one or more electric motors.
- (j) **"Late Night Club"** means a facility, the primary purpose of which is to host late night events where:
- i. no alcohol or alcoholic beverages are available on the Premises for consumption or sale;
 - ii. 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
 - iii. the events are held for the purpose of gain or profit;
 - iv. tickets are sold or an entrance or attendance fee is charged for persons to attend; and
 - v. music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played,
- (k) **"Market"** means the Business of providing for rent, stalls, tables or spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (l) **"Mobile Business Unit"** means a motor vehicle, temporary structure or display, or stand from which a Business is Carried On;
- (m) **"Mobile Supervised Consumption Services"** means a Business operated within a Mobile Supervised Consumption Services Unit, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and controlled environment where a Person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;
- (n) **"Mobile Supervised Consumption Services Unit"** means a vehicle designed or retrofitted to accommodate Mobile Supervised Consumption Services and having no more than two-booths and room for two people to

recover post-consumption;

- (o) ¹**“Not for Profit Organization”** means
1. a society established under the *Societies Act*, R.S.A. 1980, c. S-18;
 2. a registered charity established under the *Income Tax Act*, R.S.A. 1985, c.1
 3. a company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;
 4. a company incorporated under Part II of the *Canada Corporations Act*, R.S.C. 1985, c. C-32; or
 5. a society, charity, or company established under successor or replacement legislation to any of the Acts referred to above.
- (p) **“Non Resident Business”** means a Business that is Carried On in Red Deer by a Person who either:
- i. does not reside or have its registered office in Red Deer; or
 - ii. does not own or lease the Premises that the Business is Carried On from.
- (q) **“Pawn”** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;
- (r) **“Pawnbroker”** means a Person who Carries On the Business of loaning or holding oneself out as ready to loan money on the security of the pawn of property but does not include a bank, trust company, credit union or other similar institution, and includes an agent or employee;
- (s) **“Pawnd Goods”** means any item that is pawned but does not include real property;
- (t) **“Pawn Shop”** means a place of Business, which is not a residence, where a Person may Pawn Goods.
- (u) **“Peace Officer”** means a Peace Officer as defined in the *Provincial Offenses Procedure Act*, S.A. 1988, c P-21.5;
- (v) ²**“Permanent Supervised Consumption Site”** means a Business operated within a standalone location, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and

¹ Bylaw 3609/A-2019

² Bylaw 3609/A-2018

controlled environment where a Person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;

- (w) **“Person”** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;
- (x) **“Premises”** means land, buildings, or structures;
- (y) **“Resident Business”** means a Business that is Carried On by a Person who either:
 - i. resides in Red Deer and Carries On a Business in Red Deer; or
 - ii. Carries On a Business from Premises in Red Deer which the Person owns or rents.
- (z) **“Second Hand Dealer”** means the Business of acquiring second-hand property by trade, purchase or consignment, for the purpose of selling or offering for sale, but does not include auction sales, auto-wreckers, or recycling depots;
- (aa) ³**“Second Hand Goods”** means any item that is being transferred to a second or later end user but does not include real property;
- (bb) **“Short Term Licence”** means a licence that is valid for not more than four (4) consecutive months in a calendar year;
- (cc) **“Regulated Business”** means a Business that is identified in a Schedule to this Bylaw, excluding Schedule “A” and Schedule “L” **“K”**, in relation to which Council may adopt regulations in addition to those set out in the body of this Bylaw; and
- (dd) **“Trade Shows”** means an exposition where Businesses in a specific industry can gather to display, demonstrate or sell products or services to other participants or the general public, in a single event operated over the course of one day or one weekend.

City Manager

3. The City Manager is authorized to:

- (a) receive and consider applications for business licences, including the power to consult with, obtain information from and verify information with other employees or agents of the City, other governments, government agencies or Persons;

³ Bylaw 3609/A-2018

- (b) issue business licences, impose conditions on business licences and refuse to issue business licences;
- (c) revoke and suspend business licences;
- (d) keep a record of all business licences issued and any particulars of those licences;
- (e) maintain a register of business licences that is available to all departments of the City to access for the purpose of administering and enforcing this bylaw, any other bylaw of the City or an enactment of Alberta or Canada;
- (f) undertake any inspections of lands or buildings and make any inquiries necessary to ensure compliance with this bylaw;
- (g) be responsible for the administration and enforcement of this bylaw; and
- (h) exercise any other power, responsibility or discretion provided under this bylaw.

Directory

4. The City Manager may publish or authorize the production of a directory of licensed businesses in the City, made publicly available.
5. The directory may contain any information provided by an applicant or licence holder under this bylaw.
6. When an applicant or licence holder provides information under this bylaw, the applicant or licence holder must be given an opportunity to exercise the right not be included in a directory that may be published under section 4.
7. The City Manager may establish terms and conditions under which a directory is published or information included in it.
8. The City Manager may also include information in the directory in relation to a Person who is not required to hold a business licence under this bylaw:
 - (a) on the request of that Person; and
 - (b) on terms and conditions established by the City Manager, including payment of a fee for inclusion.

Requirement for a Business Licence

9. A Person that Carries On a Business in Red Deer must hold a valid business licence authorizing the Person to Carry On that Business.

10. Section 9 applies whether a Person Carries On a Business as a principal or as an agent.

Exclusions from the Requirement for a Business Licence

11. The following Persons may Carry On a Business in Red Deer without a business licence:
- (a) the Crown in right of Alberta;
 - (b) the Crown in right of Canada;
 - (c) The City; and
 - (d) a Person whose Business is expressly exempted from the requirement of a business licence by a statute of the Legislature of Alberta or Parliament of Canada.
12. No licence is required for:
- (a) a Business that rents a stall, table, or space in a Market and Carries On within Market hours;
 - (b) Mobile Business Units that are operating as part of a Special Event approved by the City; or
 - (c) a Business that is operating as a vendor at a Trade Show.
 - (d) ⁴a Not for Profit Organization that has no employees; or
 - (e) ⁵a Not for Profit Organization that does not Carry On operations from a non-residential Premises located within the City of Red Deer.
13. The Person who organizes a Market or Trade Show is required to obtain a business licence.
14. If only part of a Business is covered by an exemption under section 11 or 12, the Person who Carries On the Business must comply with this bylaw in respect of any part of the Business that is not exempted.
15. A Person who contracts with any of the Governments or Persons designated in section 11 will be subject to all the requirements of this bylaw.

⁴ Bylaw 3609/A-2019

⁵ Bylaw 3609/A-2019

Application for a Business Licence

16. Before the issue or renewal of a business licence, a Person must submit to the City Manager:
 - (a) an application in a form established by the City Manager;
 - (b) the applicable fee; and
 - (c) any additional information required by this bylaw or by the City Manager.
17. An applicant must be at least 18 years old or have an agent at least 18 years old sign/authorize on behalf of the applicant.
18. The application must be in the form required by the City Manager and information to be submitted with an application must include the following:
 - (a) the applicant's name;
 - (b) the legal name of the Business and any brand names/trade names/operating names under which the Business is to be conducted;
 - (c) the Business contact information, including phone number(s), email address(es), and mailing address;
 - (d) the operating address of the Business;
 - (e) the proper name of the owner(s) of the Business, including the corporate information;
 - (f) the owner(s) contact information, including phone number(s), email address(es), and mailing address(es);
 - (g) a description of the nature of the Business that includes type of Business and the number of employees;
 - (h) where a Person intends to engage in or operate a Business at a specific Premises within the City, the Person shall ensure all necessary approvals required by law have been obtained, and shall provide proof of a valid and existing Development Permit for the Premises;
 - (i) the signature/authorization of the applicant or the applicant's agent;
 - (j) any other information that the City Manager may reasonably require for the purpose of the administration of this bylaw; and
 - (k) the business licence fee specified under Schedule A, unless that Business

is exempt under section 11 or 12.

19. In addition to the information required in section 18, an applicant for a business licence for a Regulated Business must also provide the information and documents required by the Schedule applicable to that Business.
20. If there is any change to the information provided to the City Manager in the application for a business licence during the term of a business licence, the licence holder must advise the City Manager in writing of the change immediately.

Considering the Application

21. The City Manager must consider each complete application, as outlined in section 18.
22. Subject to section 23, the City Manager must grant a business licence to the applicant if the applicant meets the requirements of this bylaw.
23. The City Manager may refuse to issue a business licence or may impose conditions on a business licence if the City Manager:
 - (a) has revoked or suspended a business licence of the applicant for the same or a similar Business within the past 12 months; or
 - (b) has reasonable grounds for believing that the applicant does not or will not comply with this bylaw, another bylaw of the City, or an enactment of Alberta or Canada in relation to the Carrying On of the Business; or
 - (c) has reasonable grounds for believing that issuing a business licence with respect to the proposed Business is not in the public interest.
24. The City Manager may consult, prior to issuing or renewing a business licence, with authorities and agencies, including but not limited to the Province of Alberta, the RCMP, and City departments, to determine whether they are in possession of information which, in the opinion of the City Manager, renders it inappropriate for a business licence to be issued to the Person.
25. At any relevant time, the City Manager may impose, in addition to the conditions referenced under section 23, conditions on a new or existing business licence in relation to the establishment or operation of the applicable Business.
26. The City Manager must specify on the business licence:
 - (a) the name of the licence holder(s) and each name under which the Business is to be conducted;
 - (b) a description of the type of Business for which the licence is issued;

- (c) the Schedule, if any, applicable to the regulation of the Business;
- (d) the location where the Business is to be conducted;
- (e) any conditions on the business licence; and
- (f) the expiry date of the business licence.

Business Licence Fee

- 27. If the fee for a business licence is not paid, the business licence is not valid.
- 28. Once the City Manager has issued a business licence, the business licence fee is not refundable.

Effect of and Limitations on a Business Licence

- 29. Subject to section 31, a business licence allows the licence holder to Carry On the Business described in the business licence, and a business licence for a Regulated Business allows the licence holder to Carry On the Regulated Business described in the business licence provided that the licence holder complies with the specific regulations for that Regulated Business.
- 30. A business licence remains the property of the City.
- 31. A business licence does not relieve the licence holder from the obligation to obtain any other permit, licence or other approval that may be required under another bylaw of the City or any other governmental authority.
- 32. A business licence does not confer any property right and no licence holder may sell, transfer, assign, lease or otherwise dispose of or deal in a licence.

Term of Business Licence

- 33. A business licence issued under this bylaw expires on December 31 of the year for which it was issued, unless:
 - (a) it is revoked earlier under section 39 of this bylaw; or
 - (b) it was issued as a Short Term Licence.

Obligations of Business Licence Holder

- 34. A licence holder must ensure that the Business conducted under a business licence complies with:
 - (a) this bylaw; and
 - (b) any conditions imposed on the business licence.

35. A licence holder must:
- (a) post the business licence in a conspicuous place in the Premises where the Business under licence is Carried On or operated;
 - (b) Carry On the Person of the licensee, or in or on the vehicle or apparatus from which the Business is Carried On; and
 - (c) produce the business licence to the City Manager or Peace Officer if requested to do so.
36. A licence holder must give access to the Premises specified in the business licence to the City Manager or a Peace Officer if requested to do so.

Cancellation of Business Licence by a Licence Holder

37. A licence holder may cancel a business licence by providing written notice to the City Manager.
38. If a licence is cancelled under section 37, the business licence fee is not refundable.

Revocation or Suspension of Business Licence by City Manager

39. If the Business Carried On or operated under a business licence does not comply with:
- (a) this bylaw;
 - (b) any condition imposed on the licence; or
 - (c) any other bylaw or enactment of Alberta or Canada applicable to the Business or the Premises where the Business is located,
- the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
40. If an applicant for a business licence provides inaccurate or misleading information in an application for a business licence, the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
41. The City Manager, upon the reasonable belief that the safety, health or welfare of the public may be at risk due to the issuance of the licence, may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.

42. The City Manager must give written notice of the revocation or suspension, setting out in general terms the reason for the revocation or suspension and in the case of a suspension the period of the suspension.
43. The revocation or suspension of a business licence under section 39 is effective:
- (a) 24 hours after delivery if the written notice is delivered personally to the licence holder or the registered office of a corporate licence holder;
 - (b) 72 hours after posting if the written notice is posted in a conspicuous place at the Premises specified in the licence where the Business is to be conducted or operated; or
 - (c) seven days after the written notice is sent to the mailing address provided in the application for a business licence or the address subsequently provided in writing under section 18,
- whichever is earliest.
44. In the notice suspending or revoking a licence, the City Manager may increase the time before which a revocation or suspension is effective from that established under section 43.
45. If the City Manager increases the amount of time under section 43, the City Manager may impose conditions on the business licence that the City Manager considers reasonable to ensure the protection of the public and the integrity of the administration of this bylaw.
46. A licence holder must cease Carrying On a Business immediately once a suspension or revocation is effective.
47. The City Manager may act under section 39 in addition to or instead of prosecuting an offence under this Bylaw or the *Provincial Offenses Procedure Act*, or both.

Appeals

48. If the City Manager:
- (a) refuses to issue a business licence;
 - (b) revokes or suspends a business licence;
 - (c) identifies a Business subject to a Schedule;
 - (d) imposes a condition on a business licence; or

(e) ⁶Deleted

the applicant or licence holder may appeal the decision to the Red Deer Appeal and Review Board. Appeals are governed and processed in accordance with the provisions of the City of Red Deer *Appeal and Review Bylaw*, No. 3487/2012.

49. On the filing of an appeal in accordance with section 48, the decision being appealed is stayed, pending the decision of the Board.
50. The Red Deer Appeal and Review Board may:
- (a) uphold the decision of the City Manager;
 - (b) vary the decision of the City Manager or substitute its own decision; or
 - (c) overturn the decision of the City Manager.

Inspection of Lands and Buildings

51. If there are reasonable grounds for believing that a Person is Carrying On a Business without a business licence, or is in contravention of this bylaw, the City Manager or Peace Officer may inspect the Business Premises and surrounding lands, without prior notice.

Business Licence is not a Representation of Compliance with other Bylaws

52. A business licence issued under this bylaw is not a representation to the licence holder that the Business complies with the requirements of any other bylaw or enactment and the licence holder is responsible to ensure that the licence holder complies with all applicable bylaws and enactments.

Enforcement

53. A Person is guilty of an offence if that Person:
- (a) Carries On a Business in Red Deer without a business licence as required under this bylaw, unless an exclusion under section 11 applies;
 - (b) Carries On a Business in Red Deer in breach of a condition imposed on a business licence;
 - (c) hinders or obstructs any Person in the exercise or performance of the Person's duties or powers pursuant to this bylaw; or
 - (d) is in breach of any provision of this bylaw.
54. When a corporation commits an offence under this bylaw, every principal,

⁶ 3609/A-2019

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.

55. The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a permit holder or Person Carrying On Business on the Premises located on the property that constitutes an offence under this Bylaw, in the same manner and to the same extent as though the act were done by the owner.

Fines and Penalties

56. A Person who is guilty of an offence under this bylaw is liable to the specified penalty for that offence, as stated in the Specified Penalty Table under Schedule J **K**.
57. A Person who breaches any of the provisions of this bylaw where the breach is of a continuing nature shall, in addition to the penalties set forth Schedule J **K**, pay a penalty of not less than \$250 for each day that the breach continues.
58. A Person who has not submitted payment by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing.
59. When a penalty is not specified under this bylaw, a Person who is guilty of an offence is liable to a fine not exceeding \$10,000, and in default of payment of the fine, to imprisonment for up to six months.

Municipal Violation Tag

60. A Peace Officer may issue, with respect to an offence under this bylaw, a municipal violation tag specifying the fine amount (including any early payment fine amount), as may be established by this bylaw.
61. Where a municipal violation tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

62. A Peace Officer may issue, with respect to an offence under this bylaw, a violation ticket:
- (a) specifying the fine amount established by this bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.
63. Where a violation ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Effective Date

64. *License Bylaw, No. 3159/96, Late Night Clubs Bylaw, No. 3275/2001 and Drinking Establishment Licensing Bylaw No. 3332/2004* are hereby repealed.

65. This bylaw shall come into force and take effect upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this 20 day of August 2018.

READ A SECOND TIME IN OPEN COUNCIL this 4 day of September 2018.

READ A THIRD TIME IN OPEN COUNCIL this 4 day of September 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this 4 day of September 2018.

“Mayor Tara Veer”

“Frieda McDougall”

MAYOR

CITY CLERK

Schedule "A"
Fee Schedule

GST EXEMPT

1. The fees for licences are:

(a)	Resident Business	\$108.00
(b)	Non Resident Business	\$420.00
(c)	Resident Short Term	\$50.00
(d)	Non-Resident Short-Term	\$175.00
(e)	Change Fee	\$25.00
(f)	Late Fee	\$25.00
(g)	Electric Scooter Business	\$600.00

2. Resident Business and Non Resident Business licence fees under this bylaw may be pro-rated on a monthly basis for each month from the date the licence is first issued until December 31 of that year, for any Business that was not operated or Carried On prior to the licence being issued. In no case will the pro-rated fee be less than \$35.00

3. Business licence fees to be reviewed each year, prior to the renewal process, based on the Consumer Price Index (CPI) of Alberta. Fees will be rounded to the nearest \$0.05.

⁷**Schedule "B"**
Pawn Shops and Pawnbrokers

1. A Pawnbroker must not also Carry On the Business of a Second Hand Dealer on the same Premises.
2. A Pawnbroker must keep a record, recorded at the time of each transaction, of the following information, in a form satisfactory to the City Manager, including by electronic means, where the Pawnbroker receives Pawns Goods:
 - (a) the date and time at which the Pawns Goods were received;
 - (b) an accurate description of the Pawns Goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks;
 - (c) the amount of money advanced for the Pawns Goods;
 - (d) the rate of interest which is to be charged on the loan which is made;
 - (e) the full name of the employee who accepted the Pawns Goods.
3. In addition to section 2, a Pawnbroker must record a complete and accurate description of the Person pawning the goods, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the Pawns Goods, that confirm the name and address given.
4. At the time a Person Pawns goods, a Pawnbroker must free of charge, give that Person a copy of the summary of information taken at the time the goods are Pawns.

⁷ Bylaw 3609/A-2018

5. Immediately upon request, a Pawnbroker must make available to the City Manager or Peace Officer an accurate copy of the information kept under section 3.
6. If Pawned Goods are redeemed, the Pawnbroker who conducts the transaction must record:
 - (a) Record the Pawnbroker's own name and the date the pawned goods were redeemed;
 - (b) Record the same information required under section 3 relative to the Person who has redeemed the Pawned Goods; and
 - (c) ensure the information recorded in sections 2 and 3 is kept in accordance with section 14.
7. A Pawnbroker must:
 - (a) not sell any Pawned Goods until at least forty-five (45) days have elapsed from the time the goods were Pawned;
 - (b) keep all Pawned Goods in the Pawn Shop where the Pawn occurred until forty-five (45) days have elapsed from the time the goods were Pawned; and
 - (c) keep all Pawned Goods which have not been redeemed within the time allowed and are for sale apart from all other Pawned Goods for which the forty-five (45) days have not yet elapsed.
8. Notwithstanding section 7, if a longer period of retention has been agreed upon between the Pawnbroker and the Person who Pawns Goods, the Pawnbroker cannot sell or remove the goods from the Pawn Shop where the Pawn occurred until that longer period has expired.
9. A Pawnbroker must not accept Pawned Goods:
 - (a) if the goods are offered by a Person who:
 - i. is under 18 years of age; or
 - ii. fails to provide the identification required under section 3; or
 - iii. appears to be intoxicated.
 - (b) if the goods have had or appear to have had the identification number or serial number removed or altered with in any way, unless prior written approval is obtained from the RCMP.

10. A Pawnbroker must not:
 - (a) erase or alter any information recorded under section 2 or section 3; or
 - (b) direct or allow any Person to erase or alter any information recorded under section 2 or section 3.

11. A Pawnbroker must post in a conspicuous location in the place of Business:
 - (a) the maximum interest rate allowed by the *Statutes of Canada* to be taken by the Pawnbroker; and
 - (b) a detailed statement as to the manner in which the interest rate charged by the Pawnbroker is calculated.

12. The books or records and any personal property in a Pawnbroker's Premises shall be open for inspection at all times by any Peace Officer or the City Manager.

13. On any day the Pawn Shop is open for business, each Pawnbroker shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Pawned Goods received during the preceding 24 hour period (from 10:00 am that day to 10:00am of the previous day on which the shop was last open for business), including:
 - (a) the date and time of day when each property was received;
 - (b) the serial or folio number in the Pawnbroker's book or record; and
 - (c) the name, address and a detailed description of the Person or Persons from whom the Pawn was received, including the description of the clothing and any other distinguishing features.

14. The information required to be kept in sections 2 and 3 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) in the Pawn Shop; and
 - (d) for a period of one (1) year from the date the goods were Pawned.

⁸Schedule "C"
Second Hand Dealers

1. A Second Hand Dealer shall not Carry On the Business of a Pawnbroker from the same Premises as the Second Hand Dealer Business.
2. A Person shall not be required to hold a licence for dealing in Second Hand Goods where the second hand goods are accepted as part of the consideration for the purchase price of new goods.
3. A Second Hand Dealer must keep a record in English, in a form satisfactory to the City Manager, in relation to each transaction of receiving Second Hand Goods:
 - (a) the date and time at which the Second Hand Goods were received;
 - (b) an accurate description of the Second Hand Goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks; and
 - (c) the amount paid by the dealer for the Second Hand Goods.
4. In addition to section 3, a Second Hand Dealer must record a complete and accurate description of the Person of whom the Second Hand Goods were acquired, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) residential address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
5. No entry made in such book, record or computer program shall be erased, obliterated or defaced, nor shall any portion thereof be torn out or removed.

⁸ Bylaw 3609/A-2018

6. The book, record or computer program required herein and any personal property in the Second Hand Dealer's place of Business shall be open to inspection at all times by any Peace Officer or City Manager, and the duplicate copy of such book or record shall be delivered to the Peace Officer or City Manager upon request.
7. No Second Hand Dealer shall dispose of or undertake the repair of any second hand goods until 72 hours have elapsed from the time of acquisition of such goods.
8. Each Second Hand Dealer shall keep separate and apart from his other goods those goods required to be held under section 7, until the time set forth in that section has elapsed.
9. Sections 3 to 8 inclusive do not apply to:
 - (a) the purchase of second hand goods, wares, merchandise or other effect bargained for or delivered to the purchaser at any place outside the City, although such Person disposes of the same within the City;
 - (b) Persons who deal in second hand books;
 - (c) auctioneers; or
 - (d) thrift shops and clothing banks operated by any church or charitable organization.

Schedule "D"
Mobile Business Units

1. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Mobile Business Unit, must submit to the City Manager, in a form acceptable to the City Manager; a schedule of all locations the Mobile Business Unit intends to Carry On Business, including civic address(es), date(s) and time(s).

**⁹Schedule E”
Direct Sellers**

1. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Direct Seller Business, must submit to the City Manager, in a form acceptable to the City Manager; proof of a current/valid direct selling business licence, issued under the *Direct Selling Business Licensing Regulation*, Alberta Regulation, 190/1999.
2. A Direct Seller may not Carry On Business between the hours of 8:00 PM and 8:00 AM.
3. A Direct Seller must carry with him a copy of the valid business licence issued under this Bylaw and produce it on request to each potential customer.

⁹ Bylaw 3609/A-2018

Schedule "F"

Drinking Establishments

Mandatory Requirements

1. The licence holder for a Drinking Establishment must:
 - (a) adhere to the provisions of all bylaws, enactments or regulations which apply to the Drinking Establishment;
 - (b) maintain in place a plan to the reasonable satisfaction of the City Manager which includes provisions for:
 - i. first aid for patrons of the establishment; and
 - ii. outside inspection and clean up in the vicinity of the Drinking Establishment during and after the hours of operation.
 - (c) require its manager and staff, on the request of a member of the RCMP, Peace Officer, Safety Codes Officer or City Manager to:
 - i. assist the member of the RCMP, City Manager or Peace Officer in carrying out an inspection of the Premises, and
 - ii. point out the location of the Drinking Establishment Licence so that it may be examined.

Conditions Attached to Licence

2. Where events have occurred in connection with the operation of a Drinking Establishment that put at risk the safety, health, welfare or property of members of the public or of the patrons or employees of the Drinking Establishment, the City Manager may include in the licence for that Drinking Establishment specific conditions which are intended to deal with that risk, including conditions respecting the following matters:
 - (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
 - (b) the procedures required to be in place to address emergency medical and security concerns;
 - (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;
 - (d) requirements that the owner install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures governing the retention of copies of video tapes or other visual surveillance recordings;

- (e) a requirement that the owner install, maintain and operate an airport-style metal detecting security gate of a model and type and in a manner specified by the City Manager, for the purpose of identifying and barring entry to anyone carrying metal weapons;
- (f) a requirement that the owner enter into an agreement specifying the conditions set out herein, including such additional conditions as may be required by the City Manager pursuant to the provisions of subparagraph (g). Such agreement may, but need not, set out the terms and provisions which will give rise to a revocation or suspension of any licence granted under this Bylaw; and
- (g) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the City Manager, reasonably necessary to protect the safety, health, welfare, and property of the patrons and employees of the Drinking Establishment.

Inspection of Premises and Facilities

3. A Peace Officer, City Manager, Safety Codes Officer, or member of the RCMP may enter and inspect the Premises of any licensed Drinking Establishment at any reasonable time, including during its hours of operation:
 - (a) to determine if the facilities meet the requirements of this Bylaw, other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (b) to ensure that the Licensee is complying with the requirements of this Bylaw, the conditions attached to a licence issued under this Bylaw and other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (c) in the case of a facility whose licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

¹⁰Schedule "G"**Mobile and Permanent Supervised Consumption Services****Application Requirements**

1. In addition to any other requirements of this Bylaw, before the issuance or renewal of a business licence for a Mobile or Permanent Supervised Consumption Services, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) Mobile Supervised Consumption Services Units
 - i. A signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;
 - ii. A proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - iii. A detailed description of the proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces;
 - iv. Photographs of the interior and exterior of the vehicle;
 - v. A proposed security plan, including the number and qualifications of security personnel; and
 - vi. Confirmation the applicant has provided ~~with~~ the written notice required by section 3.
 - (b) Permanent Supervised Consumption Services
 - i. A signed landowner consent for the location of the Permanent Supervised Consumption Services;
 - ii. A proposed security plan, including the number and qualifications of security personnel; and
 - iii. Confirmation the applicant has provided the written notice required by section 3.
2. No licence for a Mobile or Permanent Supervised Consumption Services shall be issued unless the applicant has been granted an exemption for medical purposes by the federal government in accordance with section 56.1 of the *Controlled Drugs and Substances Act*.

¹⁰ Bylaw 3609/A-2018

3. Prior to submitting a licence application, the applicant must provide written notice of their intent to apply for a licence to each owner and occupant of land located within a 100 metre radius of the location(s) where the applicant is proposing to operate.
4. Applications for the issuance or renewal of a business licence for Mobile or Permanent Supervised Consumption Services may be circulated to Health Canada, Alberta Health Services and the RCMP for referral and consultation.

General Licence Conditions

5. Prior to making a decision on issuance or renewal of a business licence, the City Manager may take into consideration any written submissions received in response to the notice issued under section 3.
6. In addition to conditions which may be listed as mandatory, the City Manager may impose terms and conditions on a licence for Mobile or Permanent Supervised Consumption Services if, in the opinion of the City Manager based on reasonable grounds, it is in the public interest to do so. Such conditions may address, without limitation, CPTED concerns, hours of operation, queue management, and security concerns.
7. Any terms and conditions imposed by the City Manager must not conflict with any term or condition of the associated exemption granted for medical purposes by the federal government pursuant to section 56.1 of the *Controlled Drugs and Substances Act*.

Mobile Supervised Consumption Services Unit Licence Conditions

8. The following shall be mandatory conditions for business licences for Mobile Supervised Consumption Services:
 - (a) No outdoor storage of goods is allowed in connection with the operations of the Business;
 - (b) The Mobile Supervised Consumption Services Unit shall not remain at an approved location outside of the days and hours of operation approved in the licence;
 - (c) The site must be left in the condition it was prior to Business operation; and
 - (d) A licence for a Mobile Supervised Consumption Service Unit may only be issued for the following locations within the City of Red Deer:
 - i. 3942 50A Avenue; and
 - ii. 5246 53 Avenue

Permanent Supervised Consumption Services Licence Conditions

9. The following shall be mandatory conditions for business licences for Permanent Supervised Consumption Services:
- (a) The licence holder must maintain in place a plan to address emergency, medical and security concerns;
 - (b) ¹¹The licence holder installs and maintains a monitored and professionally installed system of video camera surveillance;
 - (c) ¹²License holder must maintain and execute a plan for daily outside inspections and twice daily clean up including needle pick up within a 150m radius of the Permanent Supervised Consumption Services during and after hours of operation;
 - (d) ¹³The licence holder must designate one individual to serve as a liaison with the City and the public to address any emerging issues related to community concerns; and
 - (e) Such additional conditions reasonably necessary to protect the safety, health, welfare, and property of the attendees of the Permanent Supervised Consumption Service and its employees, and the public.

¹¹ Bylaw 3609/A-2018

¹² Bylaw 3609/A-2018

¹³ Bylaw 3609/A-2018

SCHEDULE “H”
Cannabis Retail Sales and Cannabis Production Facility

Application Requirements

1. In addition to any other requirements of this bylaw, before the issuance or renewal of a business licence for Cannabis Retail Sales or Cannabis Production Facility, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) A proposed security plan for the licensed Premises.

Licence Conditions for Cannabis Retail Sales

2. It is a condition of every business licence for Cannabis Retail Sales that the licence holder must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting Cannabis Licence pursuant to the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee’s compliance with the qualifications, conditions, or training requirements for employees of Cannabis Licensees set out in the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer or City Manager;
 - (c) Display the business licence number assigned to their business licence for Cannabis Retail Sales in any advertisement for the Business placed in any newspaper, web page, magazine or periodical, and not advertise the Business unless any name, telephone number, e-mail address, internal address or other contact information used in the advertisement was previously provided to the City Manager;
 - (d) Ensure that a minimum of two employees are present on the licensed Premises at any time the Business is open to the public;
 - (e) Display the Licence in a prominent location in the Business as well as information regarding the health and safety impacts of Cannabis and resources available to users of Cannabis;
 - (f) Comply with an approved security plan; and
 - (g) Comply with all applicable municipal, provincial and federal legislation,

regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the Business.

Licence Conditions for Cannabis Production Facility

3. It is a condition of every business licence for a Cannabis Production Facility that the licence must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting issued under the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee's compliance with the qualifications, conditions, or training requirements set out in the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer;
 - (c) Comply with an approved security plan; and
 - (d) Comply with all applicable municipal, provincial and federal legislation, regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the licensed Premises.

Schedule "I"

Late Night Clubs

Application for a Licence

1. A Person wishing to obtain a licence for a Late Night Club may apply to the City Manager by providing an application in the form established by the City Manager, containing the following information:
 - (a) the full names and addresses of the following Persons:
 - i. the applicant; or
 - ii. where the applicant is a corporate entity, the directors and shareholders of the applicant;
 - (b) the consent of all the above parties for the Red Deer City RCMP to conduct a security check on them;
 - (c) the name and address of the registered owner of the Premises in which the Late Night Club will be located;
 - (d) a description of the usual types of events that will be held at the Late Night Club, including the hours of operation and the method by which admission will be charged; and
 - (e) a description satisfactory to the City Manager of the sound system to be used at the Late Night Club and any steps that will be taken by the applicant to ensure that no offence under the Community Standards Bylaw will occur and that noise disturbance outside the Late Night Club is minimized.
2. The City Manager may not issue a Late Night Club licence if:
 - (a) the City of Red Deer RCMP recommend against issuing the Late Night Club licence because of the criminal record of the applicant; or
 - (b) there are reasonable grounds to believe that it would not be appropriate to issue a Late Night Club licence to an applicant because the potential noise impact of the Late Night Club would create a nuisance in the community near the proposed club.
3. The City Manager may impose conditions in a Late Night Club licence respecting:
 - (a) the number and qualifications of security personnel which must be available at the Late Night Club;
 - (b) the procedures required to be in place to address emergency medical and security concerns;

- (c) the number of people who may attend the Late Night Club;
 - (d) noise abatement measures which must be made to ensure noise outside or within the venue is minimized; and
 - (e) such additional conditions as are, in the opinion of City Manager, reasonably necessary to protect the safety, health, welfare, and property of the attendees of the late night club and its employees.
4. A Late Night Club must meet the following requirements:
- (a) maintain in place an adequate security plan which includes provisions for:
 - i. first aid;
 - ii. entrance control to ensure that alcohol or illicit drugs are not brought into the Premises;
 - iii. outside inspection and clean up in the vicinity of the Late Night Club during and after the hours of operation; and
 - iv. line control including ensuring that patrons are not permitted to re-enter the Late Night Club after they have left;
 - (b) provide for an adequate supply of potable water at no cost to those in attendance.
5. A Late Night Club shall not remain open later than 6:00 a.m.

Inspection Of Premises And Facilities

6. A Peace Officer, City Manager, or member of the RCMP may enter and inspect the Premises of any intended or licensed Late Night Club at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this bylaw;
 - (b) to ensure that the licensee is complying with the requirements of this bylaw or of a licence issued under this bylaw;
 - (c) in the case of a facility whose Late Night Club licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

Duty to Assist Inspector

7. Late Night Club licences issued shall be subject to a condition that the licence holder must, on the request of a member of the RCMP, City Manager or Peace Officer:
- (a) assist the member of the RCMP, City Manager, or Peace Officer in carrying out an inspection under section 6; and

- (b) provide the member of the RCMP, City Manager, or Peace Officer with the Late Night Club licence and provide a place where it may be examined.

Schedule "J"
**Electric Scooters (E-
Scooters)**

Application for a Licence

1. In addition to any other requirements of this bylaw, a Person wishing to obtain a licence for an Electric Scooter (E-Scooter) business must submit to the City Manager, in a form or with such supporting documentation acceptable to the City Manager:
 - (a) Evidence the Person obtained provincial approval to operate E-Scooters;
 - (b) Evidence the Person obtained commercial general liability insurance, property insurance and automobile third party liability insurance in respect of the E-Scooter business;
 - (c) A security deposit, calculated as \$25.00 for each E-Scooter the business will deploy in the city of Red Deer but not less than \$5000 or more than \$15,000;
 - (d) A fee of \$15.00 per E-Scooter the business will deploy in the city of Red Deer, but not more than \$5000 in total, for the City to offset expenses arising from educating the public about E-Scooter operations and managing the E-Scooter program; and
 - (e) Such other documentation as the City Manager may require to verify the Person's agreement to fulfill the obligations set out in this schedule.

2. The licence holder for an Electric Scooter Business must:
 - (a) Notify the City immediately in writing if provincial approval for the operation of e-scooters is not renewed or is withdrawn;
 - (b) Report to the City if an E-Scooter is involved in an accident, crime or acts of vandalism;
 - (c) Provide such other information the City Manager may require to effectively monitor and evaluate E-scooter presence in Red Deer;
 - (d) Pick up e-scooters abandoned in non-approved zones daily;
 - (e) Respond to complaints within three (3) hours;
 - (f) Remove E-scooters from the City between November 1 and March 15 each year;
 - (g) Disclose to the City the transmission frequency, geographic accuracy, and margin for error of the global positioning system (GPS) tracking capability each E-Scooter requires under section 3 of this Schedule; and
 - (h) Not rent an E-scooter to a rider less than eighteen (18) years of age.

3. If an E-Scooter business fails to comply with the requirements of section 2 of this schedule, the City Manager may immediately revoke the business license of that E-Scooter business.

4. All E-Scooters must be equipped with the following:
 - (a) Hardware to enable tracking of E-Scooters via the global positioning system (GPS);
 - (b) A kickstand, bell and lights;

- (c) A speed-limiting system restricting maximum speeds to twenty (20) kilometers per hour in any area of the city and fifteen (15) kilometers per hour in zones designated by the City Manager pursuant to section 5 of this schedule.”
 - (d) Visible individual markings or unit numbers,
 - (e) E-Scooters must be the dockless type for the pilot program; and
 - (f) An internal electronic lock operable wirelessly by mobile phone application.
5. With written notice provided not less than seven (7) days in advance, the City Manager may establish or alter prohibited and approved locations for the operation or parking of E-Scooters, or geographic zones where maximum speed limits must be reduced to fifteen (15) kilometers per hour.
6. The security deposit required under section 1 (c) of this schedule shall be forfeited to the City, in whole or in part:
- (a) If the operation of an E-Scooter results in damage to public or third-party property or injury to the E-Scooter rider or any other Person, or

If the City incurs costs to retrieve, relocate or store E-Scooters because of an E-Scooter business’s noncompliance with this or any other City bylaw.

7. Successful applicants will enter into a licensing agreement with the City of Red Deer.

**¹⁴Schedule “JK”
Specified Penalties**

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1 st Offence	2 nd Offence	3 rd Offence
Applicable to all Licence Types				
35(a)	Failing to post licence in a conspicuous place in the Premises or the vehicle/apparatus where the business is Carried On	\$250	\$500	\$1,000
36(c)	Failing to produce a licence upon request	\$250	\$500	\$1,000
36	Failing to give access to the Premises on the licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
46	Carry On Business while licence suspended or revoked	\$500	\$1,000	\$5,000
53(a)	Carry On or operate a Business without a licence	\$250	\$500	\$1,000
53(b)	Carries On a Business in breach of an imposed licence condition	\$500	\$1,000	\$2,500
53(c)	Hinders or obstructs any Person in the exercise or performance of the Person's duties or powers	\$250	\$500	\$1,000
Applicable to Pawn Shops				
Schedule “B” 1	Pawnbroker Carrying on Business as a Second- Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 2 & 3	Fail to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B” 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule “B” 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
12	Failure or refusal to allow inspection of	\$500	\$1,000	\$2,500

¹⁴ Bylaw 3609/A-2018

	records by Peace Officer or City Manager			
Applicable to Second Hand Dealers				
Schedule "C" 1	Second Hand Dealer Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7	Disposing or repairing of goods before the specified time frame has elapsed	\$500	\$1,000	\$2,500
Applicable to Direct Sellers				
Schedule "E" 2	Operating within prohibited timeframe (between 8:00PM and 8:00AM)	\$500	\$1,000	\$2,500
Schedule "E" 3	Failure to produce licence to customer upon request	\$500	\$1,000	\$2,500
Applicable to Drinking Establishments				
Schedule "F" 3	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000
Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule	Failure to maintain and/or execute a	\$1,000	\$5,000	\$10,000

"G" 9(c)	plan for outside inspections and regular clean up			
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
Schedule "H" 2(a)(i)	Failure to keep proof of valid subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 2(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000
Schedule "H" 2(b)	Failure to produce information as requested by a Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 2(d)	Failure to maintain a minimum of two employees during hours of operation	\$1,000	\$5,000	\$10,000
Schedule "H" 2(f)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Schedule "H" 3(a)(i)	Failure to keep proof of valid and subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 3(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000
Schedule "H" 3(b)	Failure to produce information as requested by Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 3 (c)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Applicable to Late Night Clubs				
Schedule "I" 5	Carrying on Business after 6 A.M.	\$500	\$1,000	\$2,500
Schedule "I" 7	Refusal to allow Peace Officer or City Manager to perform their duties	\$500	\$1,000	\$2,500
Applicable to Electric Scooters				
Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500

Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500

Appendix E

Business Licence Bylaw No. 3609/A-2021 clean version

BYLAW NO. 3609/2018

A Bylaw to licence and regulate businesses within the City of Red Deer.

THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Business Licence Bylaw.
2. In this Bylaw:
 - (a) **“Business”** means:
 - i. a commercial, merchandising or industrial activity or undertaking;
 - ii. a profession, trade, occupation, calling or employment; or
 - iii. an activity providing goods or services,whether or not for profit and however organized or formed, including a co-operative or association of Persons;
 - (b) **“Cannabis”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis;
 - (c) **“Cannabis Production Facility”** means any building in which an activity authorized by the Medical Marihuana Production Regulations, SOR/2013-119, or any successor or replacement legislation or regulation, is or may be conducted, including such activities as growing, producing, labelling, packaging, storing and transporting of cannabis;
 - (d) **“Cannabis Retail Sales”** means a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are lawfully sold to individuals who attend at the Premises;
 - (e) **“Carry On”, “Carrying On”, “Carried On” and “Carries On”** means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
 - (f) **“City”** means the City of Red Deer;
 - (g) **“Direct Seller”** means the activities of soliciting, negotiating or concluding in person, at any place other than the seller’s place of business, sales contracts, including direct sales contracts to which Part 3 of the *Fair Trading Act* applies, for the provision of goods or services, where the

buyer is a consumer, as per the *Designation Of Trades And Businesses Regulation*, Alberta Regulation 178/1999;

- (h) **"Drinking Establishment"** means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the Premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the Premises, take-out food services, the sale of alcoholic beverages for consumption away from the Premises, and entertainment. A Drinking Establishment includes any Premises in respect of which a "Class A" Liquor Licence has been issued by the Alberta Gaming and Liquor Commission and where the terms of the licence prohibit minors;
- (i) **"Electric Scooters (E-Scooters)"** means a vehicle that:
- i. Has been granted a permit to operate by the province of Alberta;
 - ii. Has steering handlebars;
 - iii. Consists of a footboard mount on two or three wheels;
 - iv. While capable of being propelled by muscular power, may be propelled by one or more electric motors.
- (j) **"Late Night Club"** means a facility, the primary purpose of which is to host late night events where:
- i. no alcohol or alcoholic beverages are available on the Premises for consumption or sale;
 - ii. 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
 - iii. the events are held for the purpose of gain or profit;
 - iv. tickets are sold or an entrance or attendance fee is charged for persons to attend; and
 - v. music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played,
- (k) **"Market"** means the Business of providing for rent, stalls, tables or spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (l) **"Mobile Business Unit"** means a motor vehicle, temporary structure or display, or stand from which a Business is Carried On;
- (m) **"Mobile Supervised Consumption Services"** means a Business operated within a Mobile Supervised Consumption Services Unit, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and controlled environment where a Person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;
- (n) **"Mobile Supervised Consumption Services Unit"** means a vehicle designed or retrofitted to accommodate Mobile Supervised Consumption Services and having no more than two-booths and room for two people to

recover post-consumption;

- (o) ¹**“Not for Profit Organization”** means
1. a society established under the *Societies Act*, R.S.A. 1980, c. S-18;
 2. a registered charity established under the *Income Tax Act*, R.S.A. 1985, c.1
 3. a company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;
 4. a company incorporated under Part II of the *Canada Corporations Act*, R.S.C. 1985, c. C-32; or
 5. a society, charity, or company established under successor or replacement legislation to any of the Acts referred to above.
- (p) **“Non Resident Business”** means a Business that is Carried On in Red Deer by a Person who either:
- i. does not reside or have its registered office in Red Deer; or
 - ii. does not own or lease the Premises that the Business is Carried On from.
- (q) **“Pawn”** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;
- (r) **“Pawnbroker”** means a Person who Carries On the Business of loaning or holding oneself out as ready to loan money on the security of the pawn of property but does not include a bank, trust company, credit union or other similar institution, and includes an agent or employee;
- (s) **“Pawnd Goods”** means any item that is pawned but does not include real property;
- (t) **“Pawn Shop”** means a place of Business, which is not a residence, where a Person may Pawn Goods.
- (u) **“Peace Officer”** means a Peace Officer as defined in the *Provincial Offenses Procedure Act*, S.A. 1988, c P-21.5;
- (v) ²**“Permanent Supervised Consumption Site”** means a Business operated within a standalone location, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and

¹ Bylaw 3609/A-2019

² Bylaw 3609/A-2018

controlled environment where a Person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;

- (w) **“Person”** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;
- (x) **“Premises”** means land, buildings, or structures;
- (y) **“Resident Business”** means a Business that is Carried On by a Person who either:
 - i. resides in Red Deer and Carries On a Business in Red Deer; or
 - ii. Carries On a Business from Premises in Red Deer which the Person owns or rents.
- (z) **“Second Hand Dealer”** means the Business of acquiring second-hand property by trade, purchase or consignment, for the purpose of selling or offering for sale, but does not include auction sales, auto-wreckers, or recycling depots;
- (aa) ³**“Second Hand Goods”** means any item that is being transferred to a second or later end user but does not include real property;
- (bb) **“Short Term Licence”** means a licence that is valid for not more than four (4) consecutive months in a calendar year;
- (cc) **“Regulated Business”** means a Business that is identified in a Schedule to this Bylaw, excluding Schedule “A” and Schedule “K”, in relation to which Council may adopt regulations in addition to those set out in the body of this Bylaw; and
- (dd) **“Trade Shows”** means an exposition where Businesses in a specific industry can gather to display, demonstrate or sell products or services to other participants or the general public, in a single event operated over the course of one day or one weekend.

City Manager

3. The City Manager is authorized to:

- (a) receive and consider applications for business licences, including the power to consult with, obtain information from and verify information with other employees or agents of the City, other governments, government agencies or Persons;

³ Bylaw 3609/A-2018

- (b) issue business licences, impose conditions on business licences and refuse to issue business licences;
- (c) revoke and suspend business licences;
- (d) keep a record of all business licences issued and any particulars of those licences;
- (e) maintain a register of business licences that is available to all departments of the City to access for the purpose of administering and enforcing this bylaw, any other bylaw of the City or an enactment of Alberta or Canada;
- (f) undertake any inspections of lands or buildings and make any inquiries necessary to ensure compliance with this bylaw;
- (g) be responsible for the administration and enforcement of this bylaw; and
- (h) exercise any other power, responsibility or discretion provided under this bylaw.

Directory

- 4. The City Manager may publish or authorize the production of a directory of licensed businesses in the City, made publicly available.
- 5. The directory may contain any information provided by an applicant or licence holder under this bylaw.
- 6. When an applicant or licence holder provides information under this bylaw, the applicant or licence holder must be given an opportunity to exercise the right not be included in a directory that may be published under section 4.
- 7. The City Manager may establish terms and conditions under which a directory is published or information included in it.
- 8. The City Manager may also include information in the directory in relation to a Person who is not required to hold a business licence under this bylaw:
 - (a) on the request of that Person; and
 - (b) on terms and conditions established by the City Manager, including payment of a fee for inclusion.

Requirement for a Business Licence

- 9. A Person that Carries On a Business in Red Deer must hold a valid business licence authorizing the Person to Carry On that Business.

10. Section 9 applies whether a Person Carries On a Business as a principal or as an agent.

Exclusions from the Requirement for a Business Licence

11. The following Persons may Carry On a Business in Red Deer without a business licence:
- (a) the Crown in right of Alberta;
 - (b) the Crown in right of Canada;
 - (c) The City; and
 - (d) a Person whose Business is expressly exempted from the requirement of a business licence by a statute of the Legislature of Alberta or Parliament of Canada.
12. No licence is required for:
- (a) a Business that rents a stall, table, or space in a Market and Carries On within Market hours;
 - (b) Mobile Business Units that are operating as part of a Special Event approved by the City; or
 - (c) a Business that is operating as a vendor at a Trade Show.
 - (d) ⁴a Not for Profit Organization that has no employees; or
 - (e) ⁵a Not for Profit Organization that does not Carry On operations from a non-residential Premises located within the City of Red Deer.
13. The Person who organizes a Market or Trade Show is required to obtain a business licence.
14. If only part of a Business is covered by an exemption under section 11 or 12, the Person who Carries On the Business must comply with this bylaw in respect of any part of the Business that is not exempted.
15. A Person who contracts with any of the Governments or Persons designated in section 11 will be subject to all the requirements of this bylaw.

⁴ Bylaw 3609/A-2019

⁵ Bylaw 3609/A-2019

Application for a Business Licence

16. Before the issue or renewal of a business licence, a Person must submit to the City Manager:
 - (a) an application in a form established by the City Manager;
 - (b) the applicable fee; and
 - (c) any additional information required by this bylaw or by the City Manager.
17. An applicant must be at least 18 years old or have an agent at least 18 years old sign/authorize on behalf of the applicant.
18. The application must be in the form required by the City Manager and information to be submitted with an application must include the following:
 - (a) the applicant's name;
 - (b) the legal name of the Business and any brand names/trade names/operating names under which the Business is to be conducted;
 - (c) the Business contact information, including phone number(s), email address(es), and mailing address;
 - (d) the operating address of the Business;
 - (e) the proper name of the owner(s) of the Business, including the corporate information;
 - (f) the owner(s) contact information, including phone number(s), email address(es), and mailing address(es);
 - (g) a description of the nature of the Business that includes type of Business and the number of employees;
 - (h) where a Person intends to engage in or operate a Business at a specific Premises within the City, the Person shall ensure all necessary approvals required by law have been obtained, and shall provide proof of a valid and existing Development Permit for the Premises;
 - (i) the signature/authorization of the applicant or the applicant's agent;
 - (j) any other information that the City Manager may reasonably require for the purpose of the administration of this bylaw; and
 - (k) the business licence fee specified under Schedule A, unless that Business

is exempt under section 11 or 12.

19. In addition to the information required in section 18, an applicant for a business licence for a Regulated Business must also provide the information and documents required by the Schedule applicable to that Business.
20. If there is any change to the information provided to the City Manager in the application for a business licence during the term of a business licence, the licence holder must advise the City Manager in writing of the change immediately.

Considering the Application

21. The City Manager must consider each complete application, as outlined in section 18.
22. Subject to section 23, the City Manager must grant a business licence to the applicant if the applicant meets the requirements of this bylaw.
23. The City Manager may refuse to issue a business licence or may impose conditions on a business licence if the City Manager:
 - (a) has revoked or suspended a business licence of the applicant for the same or a similar Business within the past 12 months; or
 - (b) has reasonable grounds for believing that the applicant does not or will not comply with this bylaw, another bylaw of the City, or an enactment of Alberta or Canada in relation to the Carrying On of the Business; or
 - (c) has reasonable grounds for believing that issuing a business licence with respect to the proposed Business is not in the public interest.
24. The City Manager may consult, prior to issuing or renewing a business licence, with authorities and agencies, including but not limited to the Province of Alberta, the RCMP, and City departments, to determine whether they are in possession of information which, in the opinion of the City Manager, renders it inappropriate for a business licence to be issued to the Person.
25. At any relevant time, the City Manager may impose, in addition to the conditions referenced under section 23, conditions on a new or existing business licence in relation to the establishment or operation of the applicable Business.
26. The City Manager must specify on the business licence:
 - (a) the name of the licence holder(s) and each name under which the Business is to be conducted;
 - (b) a description of the type of Business for which the licence is issued;

- (c) the Schedule, if any, applicable to the regulation of the Business;
- (d) the location where the Business is to be conducted;
- (e) any conditions on the business licence; and
- (f) the expiry date of the business licence.

Business Licence Fee

- 27. If the fee for a business licence is not paid, the business licence is not valid.
- 28. Once the City Manager has issued a business licence, the business licence fee is not refundable.

Effect of and Limitations on a Business Licence

- 29. Subject to section 31, a business licence allows the licence holder to Carry On the Business described in the business licence, and a business licence for a Regulated Business allows the licence holder to Carry On the Regulated Business described in the business licence provided that the licence holder complies with the specific regulations for that Regulated Business.
- 30. A business licence remains the property of the City.
- 31. A business licence does not relieve the licence holder from the obligation to obtain any other permit, licence or other approval that may be required under another bylaw of the City or any other governmental authority.
- 32. A business licence does not confer any property right and no licence holder may sell, transfer, assign, lease or otherwise dispose of or deal in a licence.

Term of Business Licence

- 33. A business licence issued under this bylaw expires on December 31 of the year for which it was issued, unless:
 - (a) it is revoked earlier under section 39 of this bylaw; or
 - (b) it was issued as a Short Term Licence.

Obligations of Business Licence Holder

- 34. A licence holder must ensure that the Business conducted under a business licence complies with:
 - (a) this bylaw; and
 - (b) any conditions imposed on the business licence.

35. A licence holder must:
- (a) post the business licence in a conspicuous place in the Premises where the Business under licence is Carried On or operated;
 - (b) Carry On the Person of the licensee, or in or on the vehicle or apparatus from which the Business is Carried On; and
 - (c) produce the business licence to the City Manager or Peace Officer if requested to do so.
36. A licence holder must give access to the Premises specified in the business licence to the City Manager or a Peace Officer if requested to do so.

Cancellation of Business Licence by a Licence Holder

37. A licence holder may cancel a business licence by providing written notice to the City Manager.
38. If a licence is cancelled under section 37, the business licence fee is not refundable.

Revocation or Suspension of Business Licence by City Manager

39. If the Business Carried On or operated under a business licence does not comply with:
- (a) this bylaw;
 - (b) any condition imposed on the licence; or
 - (c) any other bylaw or enactment of Alberta or Canada applicable to the Business or the Premises where the Business is located,
- the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
40. If an applicant for a business licence provides inaccurate or misleading information in an application for a business licence, the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
41. The City Manager, upon the reasonable belief that the safety, health or welfare of the public may be at risk due to the issuance of the licence, may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.

42. The City Manager must give written notice of the revocation or suspension, setting out in general terms the reason for the revocation or suspension and in the case of a suspension the period of the suspension.
43. The revocation or suspension of a business licence under section 39 is effective:
 - (a) 24 hours after delivery if the written notice is delivered personally to the licence holder or the registered office of a corporate licence holder;
 - (b) 72 hours after posting if the written notice is posted in a conspicuous place at the Premises specified in the licence where the Business is to be conducted or operated; or
 - (c) seven days after the written notice is sent to the mailing address provided in the application for a business licence or the address subsequently provided in writing under section 18,whichever is earliest.
44. In the notice suspending or revoking a licence, the City Manager may increase the time before which a revocation or suspension is effective from that established under section 43.
45. If the City Manager increases the amount of time under section 43, the City Manager may impose conditions on the business licence that the City Manager considers reasonable to ensure the protection of the public and the integrity of the administration of this bylaw.
46. A licence holder must cease Carrying On a Business immediately once a suspension or revocation is effective.
47. The City Manager may act under section 39 in addition to or instead of prosecuting an offence under this Bylaw or the *Provincial Offenses Procedure Act*, or both.

Appeals

48. If the City Manager:
 - (a) refuses to issue a business licence;
 - (b) revokes or suspends a business licence;
 - (c) identifies a Business subject to a Schedule;
 - (d) imposes a condition on a business licence; or

(e) ⁶Deleted

the applicant or licence holder may appeal the decision to the Red Deer Appeal and Review Board. Appeals are governed and processed in accordance with the provisions of the City of Red Deer *Appeal and Review Bylaw*, No. 3487/2012.

49. On the filing of an appeal in accordance with section 48, the decision being appealed is stayed, pending the decision of the Board.
50. The Red Deer Appeal and Review Board may:
- (a) uphold the decision of the City Manager;
 - (b) vary the decision of the City Manager or substitute its own decision; or
 - (c) overturn the decision of the City Manager.

Inspection of Lands and Buildings

51. If there are reasonable grounds for believing that a Person is Carrying On a Business without a business licence, or is in contravention of this bylaw, the City Manager or Peace Officer may inspect the Business Premises and surrounding lands, without prior notice.

Business Licence is not a Representation of Compliance with other Bylaws

52. A business licence issued under this bylaw is not a representation to the licence holder that the Business complies with the requirements of any other bylaw or enactment and the licence holder is responsible to ensure that the licence holder complies with all applicable bylaws and enactments.

Enforcement

53. A Person is guilty of an offence if that Person:
- (a) Carries On a Business in Red Deer without a business licence as required under this bylaw, unless an exclusion under section 11 applies;
 - (b) Carries On a Business in Red Deer in breach of a condition imposed on a business licence;
 - (c) hinders or obstructs any Person in the exercise or performance of the Person's duties or powers pursuant to this bylaw; or
 - (d) is in breach of any provision of this bylaw.
54. When a corporation commits an offence under this bylaw, every principal,

⁶ 3609/A-2019

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.

55. The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a permit holder or Person Carrying On Business on the Premises located on the property that constitutes an offence under this Bylaw, in the same manner and to the same extent as though the act were done by the owner.

Fines and Penalties

56. A Person who is guilty of an offence under this bylaw is liable to the specified penalty for that offence, as stated in the Specified Penalty Table under Schedule K.
57. A Person who breaches any of the provisions of this bylaw where the breach is of a continuing nature shall, in addition to the penalties set forth Schedule K, pay a penalty of not less than \$250 for each day that the breach continues.
58. A Person who has not submitted payment by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing.
59. When a penalty is not specified under this bylaw, a Person who is guilty of an offence is liable to a fine not exceeding \$10,000, and in default of payment of the fine, to imprisonment for up to six months.

Municipal Violation Tag

60. A Peace Officer may issue, with respect to an offence under this bylaw, a municipal violation tag specifying the fine amount (including any early payment fine amount), as may be established by this bylaw.
61. Where a municipal violation tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

62. A Peace Officer may issue, with respect to an offence under this bylaw, a violation ticket:
 - (a) specifying the fine amount established by this bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.
63. Where a violation ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Effective Date

64. *License Bylaw, No. 3159/96, Late Night Clubs Bylaw, No. 3275/2001 and Drinking Establishment Licensing Bylaw No. 3332/2004* are hereby repealed.

65. This bylaw shall come into force and take effect upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this 20 day of August 2018.

READ A SECOND TIME IN OPEN COUNCIL this 4 day of September 2018.

READ A THIRD TIME IN OPEN COUNCIL this 4 day of September 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this 4 day of September 2018.

“Mayor Tara Veer”

“Frieda McDougall”

MAYOR

CITY CLERK

**Schedule "A"
Fee Schedule**

GST EXEMPT

1. The fees for licences are:

(a)	Resident Business	\$108.00
(b)	Non Resident Business	\$420.00
(c)	Resident Short Term	\$50.00
(d)	Non-Resident Short-Term	\$175.00
(e)	Change Fee	\$25.00
(f)	Late Fee	\$25.00
(g)	Electric Scooter Business	\$600.00

2. Resident Business and Non Resident Business licence fees under this bylaw may be pro-rated on a monthly basis for each month from the date the licence is first issued until December 31 of that year, for any Business that was not operated or Carried On prior to the licence being issued. In no case will the pro-rated fee be less than \$35.00

3. Business licence fees to be reviewed each year, prior to the renewal process, based on the Consumer Price Index (CPI) of Alberta. Fees will be rounded to the nearest \$0.05.

⁷**Schedule "B"**
Pawn Shops and Pawnbrokers

1. A Pawnbroker must not also Carry On the Business of a Second Hand Dealer on the same Premises.
2. A Pawnbroker must keep a record, recorded at the time of each transaction, of the following information, in a form satisfactory to the City Manager, including by electronic means, where the Pawnbroker receives Pawns Goods:
 - (a) the date and time at which the Pawns Goods were received;
 - (b) an accurate description of the Pawns Goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks;
 - (c) the amount of money advanced for the Pawns Goods;
 - (d) the rate of interest which is to be charged on the loan which is made;
 - (e) the full name of the employee who accepted the Pawns Goods.
3. In addition to section 2, a Pawnbroker must record a complete and accurate description of the Person pawning the goods, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the Pawns Goods, that confirm the name and address given.
4. At the time a Person Pawns goods, a Pawnbroker must free of charge, give that Person a copy of the summary of information taken at the time the goods are Pawns.

⁷ Bylaw 3609/A-2018

5. Immediately upon request, a Pawnbroker must make available to the City Manager or Peace Officer an accurate copy of the information kept under section 3.
6. If Pawned Goods are redeemed, the Pawnbroker who conducts the transaction must record:
 - (a) Record the Pawnbroker's own name and the date the pawned goods were redeemed;
 - (b) Record the same information required under section 3 relative to the Person who has redeemed the Pawned Goods; and
 - (c) ensure the information recorded in sections 2 and 3 is kept in accordance with section 14.
7. A Pawnbroker must:
 - (a) not sell any Pawned Goods until at least forty-five (45) days have elapsed from the time the goods were Pawned;
 - (b) keep all Pawned Goods in the Pawn Shop where the Pawn occurred until forty-five (45) days have elapsed from the time the goods were Pawned; and
 - (c) keep all Pawned Goods which have not been redeemed within the time allowed and are for sale apart from all other Pawned Goods for which the forty-five (45) days have not yet elapsed.
8. Notwithstanding section 7, if a longer period of retention has been agreed upon between the Pawnbroker and the Person who Pawns Goods, the Pawnbroker cannot sell or remove the goods from the Pawn Shop where the Pawn occurred until that longer period has expired.
9. A Pawnbroker must not accept Pawned Goods:
 - (a) if the goods are offered by a Person who:
 - i. is under 18 years of age; or
 - ii. fails to provide the identification required under section 3; or
 - iii. appears to be intoxicated.
 - (b) if the goods have had or appear to have had the identification number or serial number removed or altered with in any way, unless prior written approval is obtained from the RCMP.

10. A Pawnbroker must not:
 - (a) erase or alter any information recorded under section 2 or section 3; or
 - (b) direct or allow any Person to erase or alter any information recorded under section 2 or section 3.

11. A Pawnbroker must post in a conspicuous location in the place of Business:
 - (a) the maximum interest rate allowed by the *Statutes of Canada* to be taken by the Pawnbroker; and
 - (b) a detailed statement as to the manner in which the interest rate charged by the Pawnbroker is calculated.

12. The books or records and any personal property in a Pawnbroker's Premises shall be open for inspection at all times by any Peace Officer or the City Manager.

13. On any day the Pawn Shop is open for business, each Pawnbroker shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Pawns received during the preceding 24 hour period (from 10:00 am that day to 10:00am of the previous day on which the shop was last open for business), including:
 - (a) the date and time of day when each property was received;
 - (b) the serial or folio number in the Pawnbroker's book or record; and
 - (c) the name, address and a detailed description of the Person or Persons from whom the Pawn was received, including the description of the clothing and any other distinguishing features.

14. The information required to be kept in sections 2 and 3 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) in the Pawn Shop; and
 - (d) for a period of one (1) year from the date the goods were Pawns.

⁸Schedule "C"
Second Hand Dealers

1. A Second Hand Dealer shall not Carry On the Business of a Pawnbroker from the same Premises as the Second Hand Dealer Business.
2. A Person shall not be required to hold a licence for dealing in Second Hand Goods where the second hand goods are accepted as part of the consideration for the purchase price of new goods.
3. A Second Hand Dealer must keep a record in English, in a form satisfactory to the City Manager, in relation to each transaction of receiving Second Hand Goods:
 - (a) the date and time at which the Second Hand Goods were received;
 - (b) an accurate description of the Second Hand Goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks; and
 - (c) the amount paid by the dealer for the Second Hand Goods.
4. In addition to section 3, a Second Hand Dealer must record a complete and accurate description of the Person of whom the Second Hand Goods were acquired, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) residential address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
5. No entry made in such book, record or computer program shall be erased, obliterated or defaced, nor shall any portion thereof be torn out or removed.

⁸ Bylaw 3609/A-2018

6. The book, record or computer program required herein and any personal property in the Second Hand Dealer's place of Business shall be open to inspection at all times by any Peace Officer or City Manager, and the duplicate copy of such book or record shall be delivered to the Peace Officer or City Manager upon request.
7. No Second Hand Dealer shall dispose of or undertake the repair of any second hand goods until 72 hours have elapsed from the time of acquisition of such goods.
8. Each Second Hand Dealer shall keep separate and apart from his other goods those goods required to be held under section 7, until the time set forth in that section has elapsed.
9. Sections 3 to 8 inclusive do not apply to:
 - (a) the purchase of second hand goods, wares, merchandise or other effect bargained for or delivered to the purchaser at any place outside the City, although such Person disposes of the same within the City;
 - (b) Persons who deal in second hand books;
 - (c) auctioneers; or
 - (d) thrift shops and clothing banks operated by any church or charitable organization.

Schedule "D"
Mobile Business Units

1. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Mobile Business Unit, must submit to the City Manager, in a form acceptable to the City Manager; a schedule of all locations the Mobile Business Unit intends to Carry On Business, including civic address(es), date(s) and time(s).

**⁹Schedule E”
Direct Sellers**

1. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Direct Seller Business, must submit to the City Manager, in a form acceptable to the City Manager; proof of a current/valid direct selling business licence, issued under the *Direct Selling Business Licensing Regulation*, Alberta Regulation, 190/1999.
2. A Direct Seller may not Carry On Business between the hours of 8:00 PM and 8:00 AM.
3. A Direct Seller must carry with him a copy of the valid business licence issued under this Bylaw and produce it on request to each potential customer.

⁹ Bylaw 3609/A-2018

Schedule "F"

Drinking Establishments

Mandatory Requirements

1. The licence holder for a Drinking Establishment must:
 - (a) adhere to the provisions of all bylaws, enactments or regulations which apply to the Drinking Establishment;
 - (b) maintain in place a plan to the reasonable satisfaction of the City Manager which includes provisions for:
 - i. first aid for patrons of the establishment; and
 - ii. outside inspection and clean up in the vicinity of the Drinking Establishment during and after the hours of operation.
 - (c) require its manager and staff, on the request of a member of the RCMP, Peace Officer, Safety Codes Officer or City Manager to:
 - i. assist the member of the RCMP, City Manager or Peace Officer in carrying out an inspection of the Premises, and
 - ii. point out the location of the Drinking Establishment Licence so that it may be examined.

Conditions Attached to Licence

2. Where events have occurred in connection with the operation of a Drinking Establishment that put at risk the safety, health, welfare or property of members of the public or of the patrons or employees of the Drinking Establishment, the City Manager may include in the licence for that Drinking Establishment specific conditions which are intended to deal with that risk, including conditions respecting the following matters:
 - (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
 - (b) the procedures required to be in place to address emergency medical and security concerns;
 - (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;
 - (d) requirements that the owner install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures governing the retention of copies of video tapes or other visual surveillance recordings;

- (e) a requirement that the owner install, maintain and operate an airport-style metal detecting security gate of a model and type and in a manner specified by the City Manager, for the purpose of identifying and barring entry to anyone carrying metal weapons;
- (f) a requirement that the owner enter into an agreement specifying the conditions set out herein, including such additional conditions as may be required by the City Manager pursuant to the provisions of subparagraph (g). Such agreement may, but need not, set out the terms and provisions which will give rise to a revocation or suspension of any licence granted under this Bylaw; and
- (g) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the City Manager, reasonably necessary to protect the safety, health, welfare, and property of the patrons and employees of the Drinking Establishment.

Inspection of Premises and Facilities

3. A Peace Officer, City Manager, Safety Codes Officer, or member of the RCMP may enter and inspect the Premises of any licensed Drinking Establishment at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this Bylaw, other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (b) to ensure that the Licensee is complying with the requirements of this Bylaw, the conditions attached to a licence issued under this Bylaw and other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (c) in the case of a facility whose licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

¹⁰**Schedule “G”****Mobile and Permanent Supervised Consumption Services****Application Requirements**

1. In addition to any other requirements of this Bylaw, before the issuance or renewal of a business licence for a Mobile or Permanent Supervised Consumption Services, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) Mobile Supervised Consumption Services Units
 - i. A signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;
 - ii. A proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - iii. A detailed description of the proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces;
 - iv. Photographs of the interior and exterior of the vehicle;
 - v. A proposed security plan, including the number and qualifications of security personnel; and
 - vi. Confirmation the applicant has provided ~~with~~ the written notice required by section 3.
 - (b) Permanent Supervised Consumption Services
 - i. A signed landowner consent for the location of the Permanent Supervised Consumption Services;
 - ii. A proposed security plan, including the number and qualifications of security personnel; and
 - iii. Confirmation the applicant has provided the written notice required by section 3.
2. No licence for a Mobile or Permanent Supervised Consumption Services shall be issued unless the applicant has been granted an exemption for medical purposes by the federal government in accordance with section 56.1 of the *Controlled Drugs and Substances Act*.

¹⁰ Bylaw 3609/A-2018

3. Prior to submitting a licence application, the applicant must provide written notice of their intent to apply for a licence to each owner and occupant of land located within a 100 metre radius of the location(s) where the applicant is proposing to operate.
4. Applications for the issuance or renewal of a business licence for Mobile or Permanent Supervised Consumption Services may be circulated to Health Canada, Alberta Health Services and the RCMP for referral and consultation.

General Licence Conditions

5. Prior to making a decision on issuance or renewal of a business licence, the City Manager may take into consideration any written submissions received in response to the notice issued under section 3.
6. In addition to conditions which may be listed as mandatory, the City Manager may impose terms and conditions on a licence for Mobile or Permanent Supervised Consumption Services if, in the opinion of the City Manager based on reasonable grounds, it is in the public interest to do so. Such conditions may address, without limitation, CPTED concerns, hours of operation, queue management, and security concerns.
7. Any terms and conditions imposed by the City Manager must not conflict with any term or condition of the associated exemption granted for medical purposes by the federal government pursuant to section 56.1 of the *Controlled Drugs and Substances Act*.

Mobile Supervised Consumption Services Unit Licence Conditions

8. The following shall be mandatory conditions for business licences for Mobile Supervised Consumption Services:
 - (a) No outdoor storage of goods is allowed in connection with the operations of the Business;
 - (b) The Mobile Supervised Consumption Services Unit shall not remain at an approved location outside of the days and hours of operation approved in the licence;
 - (c) The site must be left in the condition it was prior to Business operation; and
 - (d) A licence for a Mobile Supervised Consumption Service Unit may only be issued for the following locations within the City of Red Deer:
 - i. 3942 50A Avenue; and
 - ii. 5246 53 Avenue

Permanent Supervised Consumption Services Licence Conditions

9. The following shall be mandatory conditions for business licences for Permanent Supervised Consumption Services:
- (a) The licence holder must maintain in place a plan to address emergency, medical and security concerns;
 - (b) ¹¹The licence holder installs and maintains a monitored and professionally installed system of video camera surveillance;
 - (c) ¹²License holder must maintain and execute a plan for daily outside inspections and twice daily clean up including needle pick up within a 150m radius of the Permanent Supervised Consumption Services during and after hours of operation;
 - (d) ¹³The licence holder must designate one individual to serve as a liaison with the City and the public to address any emerging issues related to community concerns; and
 - (e) Such additional conditions reasonably necessary to protect the safety, health, welfare, and property of the attendees of the Permanent Supervised Consumption Service and its employees, and the public.

¹¹ Bylaw 3609/A-2018

¹² Bylaw 3609/A-2018

¹³ Bylaw 3609/A-2018

SCHEDULE “H”
Cannabis Retail Sales and Cannabis Production Facility

Application Requirements

1. In addition to any other requirements of this bylaw, before the issuance or renewal of a business licence for Cannabis Retail Sales or Cannabis Production Facility, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) A proposed security plan for the licensed Premises.

Licence Conditions for Cannabis Retail Sales

2. It is a condition of every business licence for Cannabis Retail Sales that the licence holder must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting Cannabis Licence pursuant to the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee’s compliance with the qualifications, conditions, or training requirements for employees of Cannabis Licensees set out in the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer or City Manager;
 - (c) Display the business licence number assigned to their business licence for Cannabis Retail Sales in any advertisement for the Business placed in any newspaper, web page, magazine or periodical, and not advertise the Business unless any name, telephone number, e-mail address, internal address or other contact information used in the advertisement was previously provided to the City Manager;
 - (d) Ensure that a minimum of two employees are present on the licensed Premises at any time the Business is open to the public;
 - (e) Display the Licence in a prominent location in the Business as well as information regarding the health and safety impacts of Cannabis and resources available to users of Cannabis;
 - (f) Comply with an approved security plan; and
 - (g) Comply with all applicable municipal, provincial and federal legislation,

regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the Business.

Licence Conditions for Cannabis Production Facility

3. It is a condition of every business licence for a Cannabis Production Facility that the licence must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting issued under the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee's compliance with the qualifications, conditions, or training requirements set out in the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer;
 - (c) Comply with an approved security plan; and
 - (d) Comply with all applicable municipal, provincial and federal legislation, regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the licensed Premises.

Schedule "I"

Late Night Clubs

Application for a Licence

1. A Person wishing to obtain a licence for a Late Night Club may apply to the City Manager by providing an application in the form established by the City Manager, containing the following information:
 - (a) the full names and addresses of the following Persons:
 - i. the applicant; or
 - ii. where the applicant is a corporate entity, the directors and shareholders of the applicant;
 - (b) the consent of all the above parties for the Red Deer City RCMP to conduct a security check on them;
 - (c) the name and address of the registered owner of the Premises in which the Late Night Club will be located;
 - (d) a description of the usual types of events that will be held at the Late Night Club, including the hours of operation and the method by which admission will be charged; and
 - (e) a description satisfactory to the City Manager of the sound system to be used at the Late Night Club and any steps that will be taken by the applicant to ensure that no offence under the Community Standards Bylaw will occur and that noise disturbance outside the Late Night Club is minimized.
2. The City Manager may not issue a Late Night Club licence if:
 - (a) the City of Red Deer RCMP recommend against issuing the Late Night Club licence because of the criminal record of the applicant; or
 - (b) there are reasonable grounds to believe that it would not be appropriate to issue a Late Night Club licence to an applicant because the potential noise impact of the Late Night Club would create a nuisance in the community near the proposed club.
3. The City Manager may impose conditions in a Late Night Club licence respecting:
 - (a) the number and qualifications of security personnel which must be available at the Late Night Club;
 - (b) the procedures required to be in place to address emergency medical and security concerns;

- (c) the number of people who may attend the Late Night Club;
 - (d) noise abatement measures which must be made to ensure noise outside or within the venue is minimized; and
 - (e) such additional conditions as are, in the opinion of City Manager, reasonably necessary to protect the safety, health, welfare, and property of the attendees of the late night club and its employees.
4. A Late Night Club must meet the following requirements:
- (a) maintain in place an adequate security plan which includes provisions for:
 - i. first aid;
 - ii. entrance control to ensure that alcohol or illicit drugs are not brought into the Premises;
 - iii. outside inspection and clean up in the vicinity of the Late Night Club during and after the hours of operation; and
 - iv. line control including ensuring that patrons are not permitted to re-enter the Late Night Club after they have left;
 - (b) provide for an adequate supply of potable water at no cost to those in attendance.
5. A Late Night Club shall not remain open later than 6:00 a.m.

Inspection Of Premises And Facilities

6. A Peace Officer, City Manager, or member of the RCMP may enter and inspect the Premises of any intended or licensed Late Night Club at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this bylaw;
 - (b) to ensure that the licensee is complying with the requirements of this bylaw or of a licence issued under this bylaw;
 - (c) in the case of a facility whose Late Night Club licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

Duty to Assist Inspector

7. Late Night Club licences issued shall be subject to a condition that the licence holder must, on the request of a member of the RCMP, City Manager or Peace Officer:
- (a) assist the member of the RCMP, City Manager, or Peace Officer in carrying out an inspection under section 6; and

- (b) provide the member of the RCMP, City Manager, or Peace Officer with the Late Night Club licence and provide a place where it may be examined.

Schedule “J”
Electric Scooters (E-
Scooters)

Application for a Licence

1. In addition to any other requirements of this bylaw, a Person wishing to obtain a licence for an Electric Scooter (E-Scooter) business must submit to the City Manager, in a form or with such supporting documentation acceptable to the City Manager:
 - (a) Evidence the Person obtained provincial approval to operate E-Scooters;
 - (b) Evidence the Person obtained commercial general liability insurance, property insurance and automobile third party liability insurance in respect of the E-Scooter business;
 - (c) A security deposit, calculated as \$25.00 for each E-Scooter the business will deploy in the city of Red Deer but not less than \$5000 or more than \$15,000;
 - (d) A fee of \$15.00 per E-Scooter the business will deploy in the city of Red Deer, but not more than \$5000 in total, for the City to offset expenses arising from educating the public about E-Scooter operations and managing the E-Scooter program; and
 - (e) Such other documentation as the City Manager may require to verify the Person’s agreement to fulfill the obligations set out in this schedule.
2. The licence holder for an Electric Scooter Business must:
 - (a) Notify the City immediately in writing if provincial approval for the operation of e-scooters is not renewed or is withdrawn;
 - (b) Report to the City if an E-Scooter is involved in an accident, crime or acts of vandalism;
 - (c) Provide such other information the City Manager may require to effectively monitor and evaluate E-scooter presence in Red Deer;
 - (d) Pick up e-scooters abandoned in non-approved zones daily;
 - (e) Respond to complaints within three (3) hours;
 - (f) Remove E-scooters from the City between November 1 and March 15 each year;
 - (g) Disclose to the City the transmission frequency, geographic accuracy, and margin for error of the global positioning system (GPS) tracking capability each E-Scooter requires under section 3 of this Schedule; and
 - (h) Not rent an E-scooter to a rider less than eighteen (18) years of age.
3. If an E-Scooter business fails to comply with the requirements of section 2 of this schedule, the City Manager may immediately revoke the business license of that E-Scooter business.
4. All E-Scooters must be equipped with the following:
 - (a) Hardware to enable tracking of E-Scooters via the global positioning system (GPS);
 - (b) A kickstand, bell and lights;

- (c) A speed-limiting system restricting maximum speeds to twenty (20) kilometers per hour in any area of the city and fifteen (15) kilometers per hour in zones designated by the City Manager pursuant to section 5 of this schedule.”
 - (d) Visible individual markings or unit numbers,
 - (e) E-Scooters must be the dockless type for the pilot program; and
 - (f) An internal electronic lock operable wirelessly by mobile phone application.
5. With written notice provided not less than seven (7) days in advance, the City Manager may establish or alter prohibited and approved locations for the operation or parking of E-Scooters, or geographic zones where maximum speed limits must be reduced to fifteen (15) kilometers per hour.
6. The security deposit required under section 1 (c) of this schedule shall be forfeited to the City, in whole or in part:
- (a) If the operation of an E-Scooter results in damage to public or third-party property or injury to the E-Scooter rider or any other Person, or

If the City incurs costs to retrieve, relocate or store E-Scooters because of an E-Scooter business’s noncompliance with this or any other City bylaw.

7. Successful applicants will enter into a licensing agreement with the City of Red Deer.

**¹⁴Schedule “K”
Specified Penalties**

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1 st Offence	2 nd Offence	3 rd Offence
Applicable to all Licence Types				
35(a)	Failing to post licence in a conspicuous place in the Premises or the vehicle/apparatus where the business is Carried On	\$250	\$500	\$1,000
36(c)	Failing to produce a licence upon request	\$250	\$500	\$1,000
36	Failing to give access to the Premises on the licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
46	Carry On Business while licence suspended or revoked	\$500	\$1,000	\$5,000
53(a)	Carry On or operate a Business without a licence	\$250	\$500	\$1,000
53(b)	Carries On a Business in breach of an imposed licence condition	\$500	\$1,000	\$2,500
53(c)	Hinders or obstructs any Person in the exercise or performance of the Person's duties or powers	\$250	\$500	\$1,000
Applicable to Pawn Shops				
Schedule “B” 1	Pawnbroker Carrying on Business as a Second- Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 2 & 3	Fail to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B” 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule “B” 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
12	Failure or refusal to allow inspection of	\$500	\$1,000	\$2,500

¹⁴ Bylaw 3609/A-2018

	records by Peace Officer or City Manager			
Applicable to Second Hand Dealers				
Schedule "C" 1	Second Hand Dealer Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7	Disposing or repairing of goods before the specified time frame has elapsed	\$500	\$1,000	\$2,500
Applicable to Direct Sellers				
Schedule "E" 2	Operating within prohibited timeframe (between 8:00PM and 8:00AM)	\$500	\$1,000	\$2,500
Schedule "E" 3	Failure to produce licence to customer upon request	\$500	\$1,000	\$2,500
Applicable to Drinking Establishments				
Schedule "F" 3	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000
Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule	Failure to maintain and/or execute a	\$1,000	\$5,000	\$10,000

"G" 9(c)	plan for outside inspections and regular clean up			
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
Schedule "H" 2(a)(i)	Failure to keep proof of valid subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 2(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000
Schedule "H" 2(b)	Failure to produce information as requested by a Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 2(d)	Failure to maintain a minimum of two employees during hours of operation	\$1,000	\$5,000	\$10,000
Schedule "H" 2(f)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Schedule "H" 3(a)(i)	Failure to keep proof of valid and subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 3(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000
Schedule "H" 3(b)	Failure to produce information as requested by Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 3 (c)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Applicable to Late Night Clubs				
Schedule "I" 5	Carrying on Business after 6 A.M.	\$500	\$1,000	\$2,500
Schedule "I" 7	Refusal to allow Peace Officer or City Manager to perform their duties	\$500	\$1,000	\$2,500
Applicable to Electric Scooters				
Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500

Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500

Appendix F

Parks and Public Facilities Bylaw No. 3255/A-2021 amendment

Bylaw 3255/A-2021

A BYLAW OF THE CITY OF RED DEER IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 3225/2000, THE PARKS AND PUBLIC FACILITIES BYLAW

WHEREAS pursuant to section 191 of the *Municipal Government Act* a council is authorized to amend a bylaw;

NOW THEREFORE the Council of the City of Red Deer, duly assembled, enacts Bylaw 3225/2000, the Parks and Public Facilities Bylaw, is amended as follows:

1 Section 2 is amended by adding a new definition in alphabetical order as follows:

“E-Scooter” means a motor vehicle that:

- (a) has a permit to operate granted by the province of Alberta;
- (b) has steering handlebars;
- (c) consists of a footboard mounted on two or three wheels; and
- (d) while capable of being propelled by muscular power, may be propelled by one or more electric motors.

2 Section 5(e) is deleted and replaced with:

(e) operate a motor vehicle, other than an E-Scooter, in a park except on a road, or in the case of off-highway vehicles, except on trails or in areas designated for use by such vehicles;

3 This Bylaw shall come into force and effect on the day it is passed.

Effective Date

READ A FIRST TIME IN OPEN COUNCIL this day of , 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of , 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of , 2021.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , 2021.

MAYOR

CITY CLERK

Appendix G

Parks and Public Facilities Bylaw No. 3255/A-2021 ~~strikethrough~~ version

BYLAW NO. 3255/2000

Being a bylaw of The City of Red Deer, Alberta to provide for the control and management of parks and public facilities.

Section 7 of the *Municipal Government Act* authorizes a council to pass bylaws respecting people and the protection of people and property, activities and things in, on, or near a public place.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, DULY ASSEMBLED,
ENACTS AS FOLLOWS:

Short Title

1 This bylaw may be called the *Parks and Public Facilities Bylaw*.

Definitions

2 In this bylaw:

“Board” means the board responsible for the management of the park or public facility in question;

“Campground” means that portion of a park, which is designated as a site on which camping is permitted;

“Camping” includes staying overnight in a vehicle, tent trailer, or any other temporary or portable shelter, or under the open sky;

"E-Scooter" means a motor vehicle that:

- i. has a permit to operate granted by the province of Alberta;
- ii. has steering handlebars;
- iii. consists of a footboard mounted on two or three wheels;
- iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors.

“Facility Manager” means:

- (a) in the case of public facilities operated by the River Bend Golf Course and Recreation Society, the River Bend Manager; and
- (b) in the case of public facilities operated by the Normandeau Cultural and Natural History Society, the Executive Director of that society.

“Park or Parkland” includes all lands used for picnic grounds, campgrounds, playgrounds, playing fields, or any other public open space, including all bicycle and hiking trails, beaches, swimming pools, wading pools, and all lakes, rivers and other water bodies within the control and jurisdiction of The City, whether located within the boundaries of the City of Red Deer or not, and whether or not the custody, care, management or control of such areas or facilities has been delegated to another body or agency, and regardless of whether all members of the public have the right of access thereto;

“Park Control Officer” means:

- (a) a Peace Officer;
- (b) a Bylaw Enforcement Officer;
- (c) Red Deer County Patrol Officer for the following park areas only:
 - (i) River Bend Golf and Recreation Area;
 - (ii) Heritage Ranch;
 - (iii) Fort Normandeau.
- (d) any other person designated by the City Manager as a Park Control Officer.

“Public Facility” means:

- (a) every athletic, recreational or cultural facility located in the City and, without limiting the generality of the foregoing, includes tennis courts, community centers, swimming pools, coliseums, arenas, athletic playing fields, golf courses and community shelters, and the property, grounds and parking areas ancillary thereto;
- (b) community schools, but only insofar as they have recreational or athletic programs under the jurisdiction of a Board;
- (c) Heritage Ranch, Fort Normandeau, and River Bend Golf and Recreation Area.

“Public Gathering” means any group of five or more people;

“Regulations” means regulations governing the use of the parks and public facilities and the posting of signs as approved from time to time by The City;

“Special Event” means a promotion, parade, procession, or race, which requires exclusive use of part of a park and for that purpose:

- (a) “promotion” means one or more persons gathered for the purpose of soliciting, protesting, rallying, entertaining, evangelizing or selling goods or services;
- (b) “parade”, “procession” or “race” means any group of people, other than a funeral procession, marching, walking, running or riding in the street, on the sidewalk, on parkland, or on the trail system, whether by foot, bicycle or motor vehicle;

“Tree” includes plants, shrubs, vines and ground cover.

Jurisdiction

- 3 This bylaw applies to all parks and public facilities owned or operated by The City of Red Deer.

Offences

- 4 No person shall attach to any tree on any City lands or to the guard or stake intended for the protection of such trees any ropes, wires, chains, or other device whatsoever, except as the same may be attached to any tree as support or protection thereof.
- 5 No person shall:
- (a) injure, damage or destroy any tree, turf or sod on any City lands;
 - (b) camp on any City lands other than a campground;
 - (c) act in a manner which is dangerous to life or property, or which is detrimental to the use and enjoyment of a park by others;
 - (d) contravene any posted or printed regulation governing the use of a park;
 - (e) operate a motor vehicle, **other than an E-Scooter**, in a park except on a road, or in the case of off-highway vehicles, except on trails or in areas designated for use by such vehicles;
 - (f) operate an off-highway vehicle anywhere in the City, except at such access points to the Red Deer River as are designated by signs posted

under the direction of the City Manager or except when operated in a parade or procession for which a Special Event Permit has been granted under the Traffic Bylaw by the City Manager;

- (g) deposit any waste or offensive matter of any kind on any City lands, except in areas intended for such purpose;
- (h) use any City lands for the purpose of storage, for gardening or for other similar private uses unless specifically allowed to do so by agreement with The City;
- (i) make a fire on any City lands except in areas designated for that purpose unless otherwise authorized by the City Manager;
- (j) remove firewood from any City lands;
- (k) injure, tease, molest or disturb any bird or animal, or take or destroy or disturb the eggs, nest or young of a bird or animal in any park;
- (l) pick, collect, dig up, cut, or harm flowering plants within a park;
- (m) foul, pollute or deposit any foreign matter or thing in or on any fountain, reservoir, river, stream, lake, pond, pool, or water in a park;
- (n) sell or expose for sale any refreshment, goods, article or thing or offer any service for a fee in any park, except when authorized by an agreement with The City or with the written permission of the City Manager;
- (o) post, paint or affix any advertisement, bill, poster, picture, matter or thing in any park or on a tree, structure or thing in a park;

- (p) damage, deface, destroy or remove a structure, fixture, improvement, sign, or any part thereof, or any other property or thing located in a park;
- (q) allow horses, dogs or other domesticated animals to run freely in any park, except in areas designated for such purposes;

6 No person shall kill any animal in a park.

Park Hours, Public Gatherings and Special Events

- 7
- (1) All parks within the City shall be closed to public gatherings from 11:00 p.m. to 7:00 a.m., unless otherwise authorized in writing by the City Manager.
 - (2) No person shall participate in a public gathering in a park between the hours of 11: 00 p.m. and 7:00 a.m.
 - (3) Sections 7(1) and 7(2) shall not apply to the New Year's Eve, Canada Day and Heritage Day celebrations authorized by The City nor to any public gathering authorized in writing by the City Manager.
 - (4) Any person desiring to hold a special event in a City park may, not less than four weeks prior to the proposed date of the event, make application to the City Manager in writing for a Special Event Permit. Such application shall bear the signature, name, address, and telephone number of the applicant person or organization who will be in control of the event and who undertakes to be responsible for the good order and conduct thereof, and shall also contain information with respect to the following:
 - (a) the nature and object of the event;

- (b) the date and time during which the event is proposed to be held;
 - (c) the intended route or area proposed to be covered by the event;
 - (d) any other information required by the City Manager;
- (5) A Special Event Permit entitles the applicant the right to use the park area specified on the permit to the exclusion of any other person at the same site.
- (6) A special event may be held without a Special Event Permit but, in such case, the persons participating in that special event will not have the exclusive right to use any specific portion of the park.
- (7) Notwithstanding the foregoing, no person shall conduct or participate in a special event in a park using amplified speaker systems, stages, platforms, or other structures without a Special Event Permit.
- (8) No person shall conduct or participate in a special event or public gathering in a park, which interferes with the continued peaceful enjoyment of the park by others.
- (9) Any person who continues to participate in a special event or public gathering after being requested by a Park Control Officer to leave the area shall be guilty of an offence.

Park Control Officer

- 8 Park Control Officers shall have the authority to:
- (a) enter on and inspect any land, road, structure or work in the park;
 - (b) order any person in a park to cease or refrain from any act or conduct which constitutes a breach of this bylaw, is dangerous to life or property, or detrimental to the use and enjoyment of the park by others;
 - (c) order persons participating in a special event or public gathering to disperse and leave the park;
 - (d) remove from the park:
 - (i) any person making an unauthorized use of the park;
 - (ii) any person creating a nuisance or disturbance;
 - (iii) any person who breaches any provision of this bylaw;
 - (iv) any person failing to comply with any posted or printed regulations guiding the use of the park.
- 9 The City Manager may make reasonable regulations governing the use of the park in order to protect the park, trees, wildlife, users of the park, and park facilities, provided those regulations are consistent with the provisions of this bylaw. The City Manager may authorize the posting of signs in this regard.

- 10 Persons using the park or public facility must obey all posted regulations.
- 11 No person shall enter upon any area of a public facility to which access by that person is prohibited, whether such prohibition be by posted regulation, sign, or custom and practice and, without limiting the generality of the foregoing and except in the case of young children, no male person shall enter an area designated for use by female persons only and no female person shall enter an area designated for use by male persons only.
- 12 (1) A supervisor or facility caretaker on duty in a public facility may require any person using public facilities to obey the provisions of this bylaw and regulations posted hereunder, and require persons in breach of the same to vacate the public facility.
- (2) The owner of a vehicle parked in a campground shall be guilty of an offence where:
- (a) the vehicle is parked without the necessary fee for use of the campground first having been paid;
 - (b) the vehicle remains in the campground beyond the maximum permitted stay;
 - (c) the vehicle remains in the campground beyond the period of time for which a fee has been paid; or
 - (d) the owner of the vehicle, being in breach of this bylaw or regulation of the campground made under this bylaw and having been directed to remove his vehicle, refuses to do so.

- (3) A Park Control Officer may, with the prior approval of the City Manager, authorize the impounding and removal of any vehicle parked contrary to the provisions of Section 12(2).
 - (4) Any vehicle removed under this bylaw may be removed to a place designated by the City Manager where it will remain until claimed by the owner or his agent.
 - (5) No impounded vehicle shall be released to its owner or agent of the owner until the impounding charge and towing charge have been paid in full, which charges shall be in addition to any fine or penalty imposed in respect of any violation or to any payment made in lieu of prosecution as hereinafter provided.
- 13 No person shall cause, permit, or allow any other person under his control to breach any regulation contained in this bylaw.
- 14 The City Manager, or a Facility Manager in the case of facilities described in Section 2, may make such inquiries as he deems appropriate and may suspend an individual from entering or using the public facility under his jurisdiction permanently, or for such period of time as he deems appropriate.
- 15 Suspended persons shall be notified of their suspension in writing by registered mail. Suspended persons may appeal their suspension to the Board by giving written notice of their appeal to the Facility Manager or to the City Manager, as the case may be, within seven days of receipt of the notice of suspension and the Facility Manager or City Manager shall arrange a meeting of the Board to hear such appeal, which must be heard at the next regularly scheduled meeting of the Board.

- 16 A Peace Officer shall remove from a park or public facility:
- (a) any person who is causing a risk to public safety in the park or public facility;
 - (b) any person who is causing damage to a park or public facility or any part thereof;
 - (c) any person whose safety is at risk as a result of the unsafe or dangerous condition of a park or public facility or any part thereof and who refuses to leave when requested to do so;
 - (d) any person who is causing a disturbance, who interferes with any group conducting a special event, who breaches any posted sign or regulation or who fails to obey a lawful instruction of a person in charge of a park or public facility;
 - (e) any person who has apparently breached any provision of this bylaw where, in the opinion of the Peace Officer, it is necessary to do so in order to prevent the recurrence of further breaches of this bylaw; and
 - (f) any person who breaches the terms of a permit to use a park or public facility or part thereof.
- 17 Subject to the provisions of this bylaw, a Board has the authority to make regulations in respect of the use of its public facility and may cause such regulations to be posted or otherwise made known to persons using that public facility.

Penalties

- 18 (1) Any person who contravenes any of the provisions of this bylaw is guilty of an offence and is liable for and subject to the penalties herein provided.
- (2) In the case of those bylaw sections listed in the Schedules to this bylaw, the penalty shall be as set forth in the applicable Schedule. For greater certainty, the wording in the Schedules shall be deemed to include all elements of the offence as set forth in the bylaw section creating the offence.
- 19 Where a Park Control Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw or in the Schedules annexed hereto, he may serve upon such person an offence ticket allowing payment of the specified penalty to The City, which shall be accepted by The City in lieu of prosecution for the offence.
- 20 The penalty for a breach of Section 8 shall be a fine of not less than \$100.00 and not more than \$2,500.00.
- 21 In addition to the foregoing penalties, any person who breaches the provisions of this bylaw or who breaches a law of Canada or the Province of Alberta in or about a public facility, is also subject to any or all of the following sanctions:
- (a) eviction from the public facility in which the breach occurred;
 - (b) suspension from entering or using the facilities of the public facility in which the breach occurred;
 - (c) suspension from entering or using any other public facility.

Exceptions

22 The provisions of this bylaw shall not apply to employees, agents, or servants of The City or to Park Control Officers when they are acting in the performance of their authorized duties.

Consequential

23 Bylaw No. 2841/84 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

READ A SECOND TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

READ A THIRD TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

AND SIGNED BY THE MAYOR AND CITY CLERK this 10 day of April A.D. 2000.

“G. D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

Bylaw No. 3255/2000

Page 1 of 1

SCHEDULE "A"

The penalty for a breach of any of the following sections shall be a fine of \$50.00:

Section Offence

- 4 Attaching ropes, etc. to trees
- 5(b) Camping in non-designated areas
- 5(d) Contravening any posted or printed regulation
- 5(g) Depositing waste or offensive matter
- 5(o) Posting bills or advertisements
- 12(2) Parking in a campground in contravention of (a), (b), (c), or (d)

SCHEDULE "B"

1. The penalty for a breach of any of the following sections shall be a fine of \$100.00, plus the cost to repair or restore:

Section	Offence
5(a)	Injure, damage, destroy or remove trees or shrubs
5(c)	Conduct detrimental to use and enjoyment of parks by others
5(h)	Using a park for purpose of storage
5(i)	Making a fire in a park in an undesignated site
5(k)	Disturbing wildlife in a park
5(l)	Collecting/harming flowers
5(q)	Allowing animal to run free
7(2)	Participating in public gatherings between 11:00 p.m. and 7:00 a.m.
7(7)	Using amplified speakers, stages, structures, without a permit
7(8)	interfere with peaceful enjoyment by others

Bylaw No. 3255/2000

Page 2 of 2

SCHEDULE "B"

Section	Offence
11	Entering an area designated for use by members of the opposite sex
13	Allowing another to breach the bylaw
2.	The penalty for a breach of sections 7(2), 7(7), and 7(8) a second time shall be \$150.00.
3.	The penalty for a breach of sections 7(2), 7(7), and 7(8) a third time shall be \$200.00.

SCHEDULE "C"¹

The penalty for a breach of any of the following sections shall be a fine of \$150.00, plus the cost of necessary repair or replacement of the park facility (except 5(m), the penalty for which will be in accordance with the *Environmental Protection and Enhancement Act*, minimum \$250.00 for an individual, \$1,000.00 for a corporation:

Section Offence

5(e)	Driving a vehicle in a park
5(f)	Driving an off-highway vehicle in the City
5(j)	Removing firewood from any City lands
5(m)	Pollution
5(n)	Selling without a license
5(p)	Vandalism
7(9)	Failure to leave after request by a Parks Control Officer

¹ 3255/A-2007

Appendix H

Parks and Public Facilities Bylaw No. 3255/A- 2021 clean version

BYLAW NO. 3255/2000

Being a bylaw of The City of Red Deer, Alberta to provide for the control and management of parks and public facilities.

Section 7 of the *Municipal Government Act* authorizes a council to pass bylaws respecting people and the protection of people and property, activities and things in, on, or near a public place.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, DULY ASSEMBLED,
ENACTS AS FOLLOWS:

Short Title

1 This bylaw may be called the *Parks and Public Facilities Bylaw*.

Definitions

2 In this bylaw:

“Board” means the board responsible for the management of the park or public facility in question;

“Campground” means that portion of a park, which is designated as a site on which camping is permitted;

“Camping” includes staying overnight in a vehicle, tent trailer, or any other temporary or portable shelter, or under the open sky;

“E-Scooter” means a motor vehicle that:

- i. has a permit to operate granted by the province of Alberta;
- ii. has steering handlebars;
- iii. consists of a footboard mounted on two or three wheels;
- iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors.

“Facility Manager” means:

- (a) in the case of public facilities operated by the River Bend Golf Course and Recreation Society, the River Bend Manager; and
- (b) in the case of public facilities operated by the Normandeau Cultural and Natural History Society, the Executive Director of that society.

“Park or Parkland” includes all lands used for picnic grounds, campgrounds, playgrounds, playing fields, or any other public open space, including all bicycle and hiking trails, beaches, swimming pools, wading pools, and all lakes, rivers and other water bodies within the control and jurisdiction of The City, whether located within the boundaries of the City of Red Deer or not, and whether or not the custody, care, management or control of such areas or facilities has been delegated to another body or agency, and regardless of whether all members of the public have the right of access thereto;

“Park Control Officer” means:

- (a) a Peace Officer;
- (b) a Bylaw Enforcement Officer;
- (c) Red Deer County Patrol Officer for the following park areas only:
 - (i) River Bend Golf and Recreation Area;
 - (ii) Heritage Ranch;
 - (iii) Fort Normandeau.
- (d) any other person designated by the City Manager as a Park Control Officer.

“Public Facility” means:

- (a) every athletic, recreational or cultural facility located in the City and, without limiting the generality of the foregoing, includes tennis courts, community centers, swimming pools, coliseums, arenas, athletic playing fields, golf courses and community shelters, and the property, grounds and parking areas ancillary thereto;
- (b) community schools, but only insofar as they have recreational or athletic programs under the jurisdiction of a Board;
- (c) Heritage Ranch, Fort Normandeau, and River Bend Golf and Recreation Area.

“Public Gathering” means any group of five or more people;

“Regulations” means regulations governing the use of the parks and public facilities and the posting of signs as approved from time to time by The City;

“Special Event” means a promotion, parade, procession, or race, which requires exclusive use of part of a park and for that purpose:

- (a) “promotion” means one or more persons gathered for the purpose of soliciting, protesting, rallying, entertaining, evangelizing or selling goods or services;
- (b) “parade”, “procession” or “race” means any group of people, other than a funeral procession, marching, walking, running or riding in the street, on the sidewalk, on parkland, or on the trail system, whether by foot, bicycle or motor vehicle;

“Tree” includes plants, shrubs, vines and ground cover.

Jurisdiction

- 3 This bylaw applies to all parks and public facilities owned or operated by The City of Red Deer.

Offences

- 4 No person shall attach to any tree on any City lands or to the guard or stake intended for the protection of such trees any ropes, wires, chains, or other device whatsoever, except as the same may be attached to any tree as support or protection thereof.
- 5 No person shall:
- (a) injure, damage or destroy any tree, turf or sod on any City lands;
 - (b) camp on any City lands other than a campground;
 - (c) act in a manner which is dangerous to life or property, or which is detrimental to the use and enjoyment of a park by others;
 - (d) contravene any posted or printed regulation governing the use of a park;
 - (e) operate a motor vehicle, other than an E-Scooter, in a park except on a road, or in the case of off-highway vehicles, except on trails or in areas designated for use by such vehicles;
 - (f) operate an off-highway vehicle anywhere in the City, except at such access points to the Red Deer River as are designated by signs posted

under the direction of the City Manager or except when operated in a parade or procession for which a Special Event Permit has been granted under the Traffic Bylaw by the City Manager;

- (g) deposit any waste or offensive matter of any kind on any City lands, except in areas intended for such purpose;
- (h) use any City lands for the purpose of storage, for gardening or for other similar private uses unless specifically allowed to do so by agreement with The City;
- (i) make a fire on any City lands except in areas designated for that purpose unless otherwise authorized by the City Manager;
- (j) remove firewood from any City lands;
- (k) injure, tease, molest or disturb any bird or animal, or take or destroy or disturb the eggs, nest or young of a bird or animal in any park;
- (l) pick, collect, dig up, cut, or harm flowering plants within a park;
- (m) foul, pollute or deposit any foreign matter or thing in or on any fountain, reservoir, river, stream, lake, pond, pool, or water in a park;
- (n) sell or expose for sale any refreshment, goods, article or thing or offer any service for a fee in any park, except when authorized by an agreement with The City or with the written permission of the City Manager;
- (o) post, paint or affix any advertisement, bill, poster, picture, matter or thing in any park or on a tree, structure or thing in a park;

- (p) damage, deface, destroy or remove a structure, fixture, improvement, sign, or any part thereof, or any other property or thing located in a park;
- (q) allow horses, dogs or other domesticated animals to run freely in any park, except in areas designated for such purposes;

6 No person shall kill any animal in a park.

Park Hours, Public Gatherings and Special Events

- 7
- (1) All parks within the City shall be closed to public gatherings from 11:00 p.m. to 7:00 a.m., unless otherwise authorized in writing by the City Manager.
 - (2) No person shall participate in a public gathering in a park between the hours of 11: 00 p.m. and 7:00 a.m.
 - (3) Sections 7(1) and 7(2) shall not apply to the New Year's Eve, Canada Day and Heritage Day celebrations authorized by The City nor to any public gathering authorized in writing by the City Manager.
 - (4) Any person desiring to hold a special event in a City park may, not less than four weeks prior to the proposed date of the event, make application to the City Manager in writing for a Special Event Permit. Such application shall bear the signature, name, address, and telephone number of the applicant person or organization who will be in control of the event and who undertakes to be responsible for the good order and conduct thereof, and shall also contain information with respect to the following:
 - (a) the nature and object of the event;

- (b) the date and time during which the event is proposed to be held;
 - (c) the intended route or area proposed to be covered by the event;
 - (d) any other information required by the City Manager;
- (5) A Special Event Permit entitles the applicant the right to use the park area specified on the permit to the exclusion of any other person at the same site.
- (6) A special event may be held without a Special Event Permit but, in such case, the persons participating in that special event will not have the exclusive right to use any specific portion of the park.
- (7) Notwithstanding the foregoing, no person shall conduct or participate in a special event in a park using amplified speaker systems, stages, platforms, or other structures without a Special Event Permit.
- (8) No person shall conduct or participate in a special event or public gathering in a park, which interferes with the continued peaceful enjoyment of the park by others.
- (9) Any person who continues to participate in a special event or public gathering after being requested by a Park Control Officer to leave the area shall be guilty of an offence.

Park Control Officer

- 8 Park Control Officers shall have the authority to:
- (a) enter on and inspect any land, road, structure or work in the park;
 - (b) order any person in a park to cease or refrain from any act or conduct which constitutes a breach of this bylaw, is dangerous to life or property, or detrimental to the use and enjoyment of the park by others;
 - (c) order persons participating in a special event or public gathering to disperse and leave the park;
 - (d) remove from the park:
 - (i) any person making an unauthorized use of the park;
 - (ii) any person creating a nuisance or disturbance;
 - (iii) any person who breaches any provision of this bylaw;
 - (iv) any person failing to comply with any posted or printed regulations guiding the use of the park.
- 9 The City Manager may make reasonable regulations governing the use of the park in order to protect the park, trees, wildlife, users of the park, and park facilities, provided those regulations are consistent with the provisions of this bylaw. The City Manager may authorize the posting of signs in this regard.

- 10 Persons using the park or public facility must obey all posted regulations.
- 11 No person shall enter upon any area of a public facility to which access by that person is prohibited, whether such prohibition be by posted regulation, sign, or custom and practice and, without limiting the generality of the foregoing and except in the case of young children, no male person shall enter an area designated for use by female persons only and no female person shall enter an area designated for use by male persons only.
- 12 (1) A supervisor or facility caretaker on duty in a public facility may require any person using public facilities to obey the provisions of this bylaw and regulations posted hereunder, and require persons in breach of the same to vacate the public facility.
- (2) The owner of a vehicle parked in a campground shall be guilty of an offence where:
- (a) the vehicle is parked without the necessary fee for use of the campground first having been paid;
 - (b) the vehicle remains in the campground beyond the maximum permitted stay;
 - (c) the vehicle remains in the campground beyond the period of time for which a fee has been paid; or
 - (d) the owner of the vehicle, being in breach of this bylaw or regulation of the campground made under this bylaw and having been directed to remove his vehicle, refuses to do so.

- (3) A Park Control Officer may, with the prior approval of the City Manager, authorize the impounding and removal of any vehicle parked contrary to the provisions of Section 12(2).
 - (4) Any vehicle removed under this bylaw may be removed to a place designated by the City Manager where it will remain until claimed by the owner or his agent.
 - (5) No impounded vehicle shall be released to its owner or agent of the owner until the impounding charge and towing charge have been paid in full, which charges shall be in addition to any fine or penalty imposed in respect of any violation or to any payment made in lieu of prosecution as hereinafter provided.
- 13 No person shall cause, permit, or allow any other person under his control to breach any regulation contained in this bylaw.
- 14 The City Manager, or a Facility Manager in the case of facilities described in Section 2, may make such inquiries as he deems appropriate and may suspend an individual from entering or using the public facility under his jurisdiction permanently, or for such period of time as he deems appropriate.
- 15 Suspended persons shall be notified of their suspension in writing by registered mail. Suspended persons may appeal their suspension to the Board by giving written notice of their appeal to the Facility Manager or to the City Manager, as the case may be, within seven days of receipt of the notice of suspension and the Facility Manager or City Manager shall arrange a meeting of the Board to hear such appeal, which must be heard at the next regularly scheduled meeting of the Board.

- 16 A Peace Officer shall remove from a park or public facility:
- (a) any person who is causing a risk to public safety in the park or public facility;
 - (b) any person who is causing damage to a park or public facility or any part thereof;
 - (c) any person whose safety is at risk as a result of the unsafe or dangerous condition of a park or public facility or any part thereof and who refuses to leave when requested to do so;
 - (d) any person who is causing a disturbance, who interferes with any group conducting a special event, who breaches any posted sign or regulation or who fails to obey a lawful instruction of a person in charge of a park or public facility;
 - (e) any person who has apparently breached any provision of this bylaw where, in the opinion of the Peace Officer, it is necessary to do so in order to prevent the recurrence of further breaches of this bylaw; and
 - (f) any person who breaches the terms of a permit to use a park or public facility or part thereof.
- 17 Subject to the provisions of this bylaw, a Board has the authority to make regulations in respect of the use of its public facility and may cause such regulations to be posted or otherwise made known to persons using that public facility.

Penalties

- 18 (1) Any person who contravenes any of the provisions of this bylaw is guilty of an offence and is liable for and subject to the penalties herein provided.
- (2) In the case of those bylaw sections listed in the Schedules to this bylaw, the penalty shall be as set forth in the applicable Schedule. For greater certainty, the wording in the Schedules shall be deemed to include all elements of the offence as set forth in the bylaw section creating the offence.
- 19 Where a Park Control Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw or in the Schedules annexed hereto, he may serve upon such person an offence ticket allowing payment of the specified penalty to The City, which shall be accepted by The City in lieu of prosecution for the offence.
- 20 The penalty for a breach of Section 8 shall be a fine of not less than \$100.00 and not more than \$2,500.00.
- 21 In addition to the foregoing penalties, any person who breaches the provisions of this bylaw or who breaches a law of Canada or the Province of Alberta in or about a public facility, is also subject to any or all of the following sanctions:
- (a) eviction from the public facility in which the breach occurred;
 - (b) suspension from entering or using the facilities of the public facility in which the breach occurred;
 - (c) suspension from entering or using any other public facility.

Exceptions

22 The provisions of this bylaw shall not apply to employees, agents, or servants of The City or to Park Control Officers when they are acting in the performance of their authorized duties.

Consequential

23 Bylaw No. 2841/84 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

READ A SECOND TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

READ A THIRD TIME IN OPEN COUNCIL this 10 day of April A.D. 2000.

AND SIGNED BY THE MAYOR AND CITY CLERK this 10 day of April A.D. 2000.

“G. D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

Bylaw No. 3255/2000

Page 1 of 1

SCHEDULE "A"

The penalty for a breach of any of the following sections shall be a fine of \$50.00:

Section Offence

- 4 Attaching ropes, etc. to trees
- 5(b) Camping in non-designated areas
- 5(d) Contravening any posted or printed regulation
- 5(g) Depositing waste or offensive matter
- 5(o) Posting bills or advertisements
- 12(2) Parking in a campground in contravention of (a), (b), (c), or (d)

SCHEDULE "B"

1. The penalty for a breach of any of the following sections shall be a fine of \$100.00, plus the cost to repair or restore:

Section	Offence
5(a)	Injure, damage, destroy or remove trees or shrubs
5(c)	Conduct detrimental to use and enjoyment of parks by others
5(h)	Using a park for purpose of storage
5(i)	Making a fire in a park in an undesignated site
5(k)	Disturbing wildlife in a park
5(l)	Collecting/harming flowers
5(q)	Allowing animal to run free
7(2)	Participating in public gatherings between 11:00 p.m. and 7:00 a.m.
7(7)	Using amplified speakers, stages, structures, without a permit
7(8)	interfere with peaceful enjoyment by others

Bylaw No. 3255/2000

Page 2 of 2

SCHEDULE "B"

<i>Section</i>	<i>Offence</i>
11	Entering an area designated for use by members of the opposite sex
13	Allowing another to breach the bylaw
2.	The penalty for a breach of sections 7(2), 7(7), and 7(8) a second time shall be \$150.00.
3.	The penalty for a breach of sections 7(2), 7(7), and 7(8) a third time shall be \$200.00.

Bylaw No. 3255/2000

Page 1 of 1

SCHEDULE "C"¹

The penalty for a breach of any of the following sections shall be a fine of \$150.00, plus the cost of necessary repair or replacement of the park facility (except 5(m), the penalty for which will be in accordance with the *Environmental Protection and Enhancement Act*, minimum \$250.00 for an individual, \$1,000.00 for a corporation:

Section Offence

5(e)	Driving a vehicle in a park
5(f)	Driving an off-highway vehicle in the City
5(j)	Removing firewood from any City lands
5(m)	Pollution
5(n)	Selling without a license
5(p)	Vandalism
7(9)	Failure to leave after request by a Parks Control Officer

¹ 3255/A-2007

Appendix I

Traffic Bylaw No. 3186/A-2021 amendment

**CITY OF RED DEER
BYLAW 3186/A-2021**

**A BYLAW OF THE CITY OF RED DEER IN THE PROVINCE OF ALBERTA TO
AMEND BYLAW 3186/97, THE TRAFFIC BYLAW**

WHEREAS pursuant to section 191 of the *Municipal Government Act* a council is authorized to amend a bylaw;

NOW THEREFORE the Council of the City of Red Deer, duly assembled, enacts Bylaw 3186/97, the Traffic Bylaw, is amended as follows:

1. Insert new definition, in alphabetical order, in section 2, as follows:

“E-Scooter” means a motor vehicle that:

- (a) has a permit to operate granted by the province of Alberta;
- (b) has steering handlebars;
- (c) consists of a footboard mount on two or three wheels; and
- (d) while capable of being propelled by muscular power, may be propelled by one or more electric motors;

2. Section 20 is amended by deleting the section and replacing it with the following:

20 No person shall operate or park a motor vehicle, other than an E-Scooter, on any sidewalk, pedestrian overpass, bicycle path or pedestrian path on any public lands owned by the City.

3. Section 22.1 is amended by deleting the section and replacing it with the following:

22.1 No person shall operate a bicycle, E-Scooter, skateboard, roller blades or any similar device on any Transit Terminal or parkade.

4. Renumber section 32.1 to 32.1(1).

5. Add the following text as a new subsection to s.32.1:

(2) Section 32.1 (1) (a) shall not apply to E-Scooters.

6. After Section 73.1, insert a new section 73.2, as follows:

OPERATING RULES FOR E-SCOOTERS

73.2 No person shall operate an E-Scooter on or across any highway except on a:

- (a) designated bicycle lane;
- (b) sidewalk;

- (c) boulevard;
- (d) trail;
- (e) crosswalk; or
- (f) lane.

7. After Section 112, insert new section 112.1, as follows:

112.1 (1) If an e-bike or E-Scooter is involved in an offence under the bylaw, the owner of that e-bike or E-scooter, is guilty of that offence.

(2) For section 112.1(1), “owner” includes any person or corporation issued a business licence for e-bike share or E-Scooter operations.

(3) Section 112.1(1) does not apply if the owner of the e-bike or E-Scooter satisfies the court, at the time that the vehicle was involved in the offence, it was not operated or parked with the owner’s express or implied consent.

8. This Bylaw shall come into force and effect on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2021.

READ A SECOND TIME THIS ____ DAY OF _____, 2021.

READ A THIRD AND FINAL TIME THIS ____ DAY OF _____, 2021.

SIGNED AND PASSED THIS DAY ____ OF _____, 2021.^b

MAYOR

CITY CLERK

Appendix J

Traffic Bylaw No. 3186/A-2021 strikethrough version

BYLAW NO. 3186/97

Being a bylaw of the City of Red Deer, in the Province of Alberta, to control and manage traffic upon Highways within the City of Red Deer;

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1 This bylaw may be called the “Traffic Bylaw”.

DEFINITIONS

2¹ The definitions contained in the Interpretation Bylaw of the City of Red Deer and Section 1 of the *Traffic Safety Act*, R.S.A. 2000, c.T-6 and regulations thereunder shall apply to this bylaw unless a contrary intention is specifically stated in this Bylaw. In this Bylaw, the following terms shall have the meanings shown:

“City Engineer” means the Director of Development Services or his deputy, agent, or representative;

²“Commercial loading zone” means a space on a highway, marked with a City authorized sign containing the words “Commercial Loading Zone”, for parking of commercial vehicles during actual loading or unloading of goods or other materials.

“Courier Service” means a business that provides courier services;

“Curb” means the actual curb, if there is one or, if there is none, means the point of division between the roadway and that part of the highway not intended for vehicular use;

¹ 3186/B-2000, 3186/A-2005

² 3186/B-2006

“Curb Cut” means a driveway across a sidewalk or curb for vehicular traffic;

“E-Scooter” means a motor vehicle that:

- i) has a permit to operate granted by the province of Alberta;
- ii) has steering handlebars;
- iii) consists of a footboard mounted on two or three wheels; and
- iv) while capable of being propelled by muscular power, may be propelled by one or more electric motors.

“Exhibition Grounds” means the following described lands:

Lot 5, Block 1, Plan 822-2274

excepting thereout all that portion of the aforesaid lands used as a racetrack;

¹“Heavy Vehicle” means a vehicle with or without a load that exceeds any of the following dimensions:

- (a) 2 axles;
- (b) 11 m in length;
- (c) a licensed gross vehicle weight of 7,500 kg

but does not include the type of vehicle commonly known as “recreation vehicle”, which is a vehicle or combination of vehicle and trailer designed for vacation, camping, or similar recreation purposes.

“Holiday” includes Sundays;

¹ 3186/B-2002

“Holiday Trailer” means:

- (i) a trailer that is designated, constructed, and equipped as a permanent or temporary dwelling or sleeping place; or
- (ii) any structure that is designated, constructed and equipped as a permanent or temporary dwelling or sleeping place and intended or capable of being loaded on to or carried upon a motor vehicle or trailer;

“Inspections and Licensing Manager” means the manager appointed by the City Manager to that position;

“Metered Space” means a space or portion of highway in a metered zone marked out pursuant to this bylaw by painted lines or otherwise for the parking of a vehicle and at which space or portion a parking meter has been installed;

“Metered Zone” refers to a portion of highway or other public place within the City where parking meters are installed;

¹“Oversize Load or Oversize Vehicle” means a load or vehicle size which exceeds the Normal Maximum weights or dimensions specified in the vehicle registration certificate or in the *Traffic Safety Act* of Alberta and regulations thereunder for that vehicle, or which exceeds the following maximum dimensions:

- (a) length – 23 m
- (b) height – 4.15 m
- (c) width – 2.6 m

¹ 3186/B-2002

“Parking Meter” means a mechanical device designed for the purpose of indicating the time during which a vehicle may be parked in a metered space;

“Parks Manager” means the Recreation, Parks and Culture Manager appointed by the City Manager to that position;

“Peace Officer”, “Special Constable”, and “Bylaw Enforcement Officer” shall include any employee of the City appointed as a special constable or bylaw enforcement officer and any member of the Canadian Corps of Commissionaires or the City Detachment of the R.C.M.P. appointed or assigned to enforce the provisions of this bylaw;

¹“Playground Zone” means that portion of a highway identified as a playground zone by a traffic control device;

²“Public loading zone” means a space on a highway, marked with a City authorized sign containing the words “Public Loading Zone”, for the parking of non-commercial vehicles during actual loading or unloading of goods or other materials.

“Recreation Vehicle” means a motor vehicle designed, constructed, modified, or equipped as a temporary dwelling place, living abode, or sleeping place;

³“School Zone” means that portion of a highway identified as a school zone by a traffic control device;

¹ 3186/A-2016

² 3186/B-2006

³ 3186/A-2016

“Sign” or “Traffic Control Device” means any sign, signal, marking, or device placed, marked or erected under the authority of this bylaw for the purpose of regulating, warning or guiding as defined in the *Traffic Safety Act* of Alberta and regulations thereunder;

¹“Special Event” means a promotion, parade, procession, race or display that requires use of City property or a highway within the City, and for that purpose:

- (a) “promotion” means one or more persons gathered for the purpose of soliciting, protesting, rallying, entertaining, evangelizing or selling goods or services;
- (b) “parade”, “procession”, “race” or “display” means any group of pedestrians or vehicles or a combination of pedestrian and vehicles, other than a funeral or military processions, marching, walking, running, standing, proceeding or riding upon City property or a highway within the City;

“Taxi-Cab” means a vehicle licensed as a taxi-cab under the Taxi Business Bylaw of the City;

“Time” means either Mountain Standard Time or Mountain Daylight Saving Time, whichever is proclaimed to be in effect by the Province of Alberta;

“Trailer” means a vehicle which is designated to be attached to or drawn by a motor vehicle;

¹ 3186/B-2001

¹“Transit Terminal” means an area intended exclusively for use by public transit vehicles to allow passengers to embark and disembark and for use by passengers awaiting rides on public transit, and includes all buildings, surfaces, structures, walls, fences and street furniture associated therewith and in particular the area shown in the sketch attached as Schedule “M” to this Bylaw.

¹ 3186/C-2002

PART 1

SPEED

SPEED LIMIT GENERAL

- 3 Unless otherwise provided for in this bylaw, the speed limit in the City shall be 50 kilometres per hour.

SPEED LIMIT IN LANES

- 4 No person shall drive a vehicle in an alley at a speed in excess of 20 kilometres per hour.

¹SPEED LIMIT IN SCHOOL ZONES AND PLAYGROUND ZONES

- 4.1 (1) The maximum speed limit for a school zone or a playground zone is 30 kilometers per hour.
- 4.1 (2) The maximum speed limit for a school zone is in effect between the hours of 8:00 a.m. and 4:30 p.m. on any day that school is held.
- 4.1 (3) The maximum speed limit for a playground zone is in effect between the hours of 8:00 a.m. and 9:00 p.m.

SPEED LIMIT IN EXHIBITION GROUNDS

- 5 No person shall drive a vehicle on the Exhibition Grounds at a speed in excess of 50 kilometres per hour or in excess of such other lower limit as may be posted by the Westerner Exposition Association.

SPEED LIMIT IN TRAILER PARKS; SCHOOLS; SHOPPING

¹ 3186/A-2016

CENTERS; MEMORIAL CENTER; CONDOMINIUMS

- 6 No person shall drive a vehicle in excess of 20 kilometres per hour on any land which is part of a trailer park, school, shopping center, condominium property, or the Memorial Center, being Lot E, Plan 3962 HW;

SPEED LIMIT RE: SCHEDULE "A" - 30 Kilometres per Hour

- 7 No person shall drive a vehicle in excess of 30 kilometres per hour on any highway referred to in Schedule "A" of this bylaw.

SPEED LIMIT RE: SCHEDULE "B" - 60 Kilometres per Hour

- 8 No person shall drive a vehicle in excess of 60 kilometres per hour on any highway referred to in Schedule "B" of this bylaw.

SPEED LIMIT RE: SCHEDULE "C" - 70 Kilometres per Hour

- 9 No person shall drive a vehicle in excess of 70 kilometres per hour on any highway referred to in Schedule "C" of this bylaw.

SPEED LIMIT RE: SCHEDULE "D" - 80 Kilometres per Hour

- 10 No person shall drive a vehicle in excess of 80 kilometres per hour on any highway referred to in Schedule "D" of this bylaw.

SPEED LIMIT RE: SCHEDULE "E" - 100 Kilometres per Hour

- 11 No person shall drive a vehicle in excess of 100 kilometres per hour on any highway referred to in Schedule "E" of this bylaw.

SPEED LIMIT RE: SCHEDULE “G”

- 12 No person shall operate a slow moving vehicle on highways referred to in Schedule “G” of this bylaw, between the hours of 7:00 a.m. and 9:00 a.m. or between the hours of 4:00 p.m. and 6:00 p.m., Monday to Friday inclusive.
- 13 The provisions of Section 12 shall not apply to any vehicle owned by or under contract to the City or any other public utilities service including, but not limited to, telephone, electric, natural gas, and cablevision systems, as well as emergency vehicles of every nature and kind including, but not limited to, fire trucks, ambulance services, police services, bylaw enforcement services while such vehicle is:
- (i) actually engaged in maintenance or emergency operations; or
 - (ii) travelling to any location for the purpose of emergency street maintenance operations.

PART 2

RIGHTS AND DUTIES OF PEDESTRIANS

STREET CROSSING WHERE SIGN PROHIBITS OBSTRUCTING HIGHWAY

- 14 No pedestrian shall cross any highway at a point where a sign prohibits such crossing.
- 15 Two or more persons shall not stand so near to each other on any highway as to obstruct the entrance to buildings or to obstruct or prevent any other persons using such highway, and forthwith upon request being made by any peace officer or other person duly authorized to do so, shall disperse and move away.
- ¹16 No person shall obstruct, impede or inconvenience vehicular or pedestrian traffic or a permitted Special Event.

PUBLIC MEETINGS

- 17 Nothing in Sections 15 and 16 shall be construed as prohibiting the congregating or assembling of individuals to attend and listen to public speaking so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the highway to allow free movement of the ordinary traffic, but should any highway at or near such assembly become in consequence thereof so obstructed as to obstruct or impede such ordinary traffic, the persons so obstructing or impeding shall forthwith move away on being requested to so do by any peace officer or by any other person duly authorized. Any person refusing or failing to forthwith

¹ 3156/B-2001

move away upon being requested as aforesaid shall be guilty of an offence under this bylaw.

WATCHING PARADE

- 18 Nothing in Sections 15 or 16 shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or procession duly authorized by the City Manager.

HITCH HIKING

- 19 No person shall stand upon or walk along a highway for the purpose of soliciting a ride from the driver of any vehicle.

PART 3

BICYCLE PATHS-SIDEWALKS

OPERATE MOTOR VEHICLE ON SIDEWALK

~~20 No person shall operate or park a motor vehicle on any sidewalk, pedestrian overpass, or upon any bicycle path or pedestrian path on any public lands owned by the City.~~

20 No person shall operate or park a motor vehicle, other than an E-Scooter, on any sidewalk, pedestrian overpass, bicycle path or pedestrian path on any public lands owned by the City.

BICYCLES ON SIDEWALKS

21 No person shall ride a bicycle on a sidewalk where prohibited by doing so by a sign.

SKATEBOARDS ON SIDEWALKS

22 (1) No person shall operate a skateboard on City sidewalk on which the operation of a bicycle is prohibited.

(2) A peace officer may seize and impound for a period of up to 14 days any bicycle or skateboard which is used or operated in contravention of any City bylaw.

~~22.1¹ — No person shall operate a bicycle, skateboard, roller blades or any similar device on any Transit Terminal or parkade.~~

22.1 No person shall operate a bicycle, E-Scooter, skateboard, roller blades or any similar device on any Transit Terminal or parkade.

¹ 3186/C-2002, 3186/A-2010

PART 4

PARKING-GENERAL

PROHIBITED STOPPING

23 No person shall stop a vehicle where prohibited from doing so by a sign.

PROHIBITED PARKING

24 ¹No person shall stop or park a vehicle at any of the following locations:

- (a)² **Construction Area** – with the exception of authorized construction personnel, upon any portion of a highway marked by a sign as a construction area;
- (b)³ **Bus Area** – (any portion of a highway marked by a sign as a bus stop or bus zone);
- (c)⁴ **Emergency Door** - in any place where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the highway;
- (d)⁵ **Entrance to Fire Hall or Hospital** - in the entranceway to any fire hall or the ambulance entranceway to any hospital;

¹ 3186/B-2006

² 3186/B-2006

³ 3186/B-2006

⁴ 3186/A-2000

⁵ 3186/A-2000

(e)¹ **Designated Vehicles Only** – with the exception of designated vehicles, upon any portion of a highway marked by a sign as an area for designated vehicles. Without limiting the generality of the foregoing, the following classes of vehicles are designated vehicles:

- (i) police vehicles;
- (ii) Red Deer Transit System vehicles;
- (iii) bylaw enforcement vehicles ;
- (iv) funeral cars owned and being operated by a funeral chapel in the course of performing a funeral; and
- (v) school buses during such time that such buses are being used to transport students to and from the school, and loading and unloading of such students.

(f)² **No Parking Zone** - on any portion of a highway marked by a “No Parking” sign,

(g)³ **Fire Lane** - on any portion of a highway marked by a “Fire Lane No Parking” sign.

LOADING AND UNLOADING

24.1⁴ No owner or operator shall stop or park in a Commercial Loading Zone unless:

¹ 3186/A-2000, 3186/B-2006

² 3186/A-2000

³ 3186/A-2000

⁴ 3186/A-2000, 3186/A-2005, ² 3186/B-2006, ³ 3186/A-2008

- (a) the vehicle bears a commercial license plate or is identified as a commercial vehicle through signage; and
- (b) the owner or operator is actively engaged in loading or unloading of the merchandise or other materials; and
- (c) the commercial vehicle is not stopped or parked for a period of time exceeding 30 minutes.

24.2² No owner or operator shall stop or park a vehicle in any Public loading zone unless:

- (a) the owner or operator is actively engaged in loading or unloading a vehicle; and
- (b) the vehicle is not stopped or parked for a period or time exceeding 10 minutes.

24.3³ No person shall park a motor vehicle in such a manner as to obstruct passage on any sidewalk or walkway or on a ramp or access designed to accommodate persons with mobility challenges.

25 (1) **Authority of City Engineer** - The City Engineer is hereby authorized to make provisions and regulations in times of emergencies, during snow removal or street cleaning operations, and in areas where construction or repairs are being carried out upon or near highways, related to the control and regulation of traffic, and without restricting the generality of the foregoing, may:

- (a) designate any highway as one which is closed temporarily in whole or in part to traffic and shall cause such highways to be so marked;

- (b) designate any area as one which parking privileges are temporarily suspended and shall cause such area to be so marked;
 - ¹(c) cause moveable signs to be placed on or near a roadway or at the entrance to an area to show where on-street parking is temporarily suspended due to road repair or snow plowing or removal activities at least 12 hours prior to the parking restrictions taking effect;
 - (d) temporarily suspend the existing speed limit and restrict the speed of vehicles to such speed as may be indicated in a sign placed in such areas.
- (2) No person shall park or drive a vehicle in contravention of any sign or signal placed in accordance with any such provision or regulation.
 - (3) No person shall tear down, remove or interfere with any such signs, signals, barricades, flares or other things placed in accordance with such provisions and regulations.
 - (4) ²No person shall park a vehicle in any location in which parking has been suspended. This section only applies during the period when the parking restrictions declared by the City Engineer are in effect.

ALLEYS

- 26 (1) No person shall park a vehicle in an alley, unless a sign permits parking, but alleys may be used for:

¹ 3186/A-2014

² 3186/A-2014

- (a) the loading or unloading of goods from a commercial vehicle for a period not exceeding 30 minutes; or
 - (b) the loading or unloading of goods or passengers from vehicles other than a commercial vehicle for a period not exceeding 5 minutes, provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the alley as to prevent other vehicles or persons from passing along such lane.
- (2) The portion of alleys designated "Parking Permitted" in Schedule "H" of this bylaw are exempt from the provisions of Section 26.

LIMITED PARKING

- 27 (1) No person shall park a vehicle in excess of the time designated and marked on a sign posted for the purpose of restricting the time for parking a vehicle.

- (1.1)¹ For the purpose of this Section, a vehicle shall be deemed to be continuously parked in the same location unless it has been moved at least one City block away from that location.

SECOND OFFENCE

- (2) After the issuance of an offence ticket concerning a vehicle for the first violation of Section 27 and the vehicle remains parked in excess of the time permitted on the sign for a further period, then a second offence shall be deemed to have occurred and a further offence ticket may be issued for such offence.

¹ 3186/A-2005

- (3) Section 27 shall not apply on a holiday, or such other day excepted by resolution of Council.

UNATTACHED HOLIDAY TRAILER

- 28 (1) No person shall park a holiday trailer upon a highway unless it is attached to a motor vehicle by which it is carried, drawn or propelled.
- (2) When attached to a motor vehicle, a holiday trailer is deemed to be part of the motor vehicle.

TAXI STAND

- 29 (1) No person shall park a vehicle other than a taxi-cab in a marked taxi-cab stand.
- (2) No person shall park and leave a taxi-cab unattended for a period exceeding 5 minutes at any taxi-cab stand unless such stand is at or adjoining the office of the taxi-cab company with which such taxi-cab is affiliated.
- (3) No person shall park a taxi-cab at a taxi-cab stand unless it is for hire.

TAXI CABS

- 30 No person shall park a taxi-cab upon a highway except where authorized by a sign or as permitted by this bylaw.
- 31 A taxi-cab not for hire may park at a place where a sign so designates or as authorized by this bylaw for the parking of any vehicle.
- 32 In this bylaw a taxi-cab shall be deemed to be “for hire” unless, when parked:
- (a) its windows and doors are closed and locked;
 - (b) there is visibly displayed in the front windshield a printed sign in a form approved by the City Manager stating that the vehicle is not for hire; and
 - (c) the operator or any occupant of the taxi-cab does not solicit any business for such vehicle.

PROHIBITED PARKING/STOPPING

- 32.1¹ (1) Except as required or permitted by this bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, **a driver shall not stop or park his vehicle:**
- (a) on a sidewalk or boulevard;
 - (b) on a crosswalk;

¹ 3186/B-98

- (c) within an intersection other than immediately next to the curb in a “T” intersection;
- (d) at an intersection nearer than 5 metres to the projection of the lateral curb line of the highway at right angles to the direction of travel of the vehicle;
- (e) within 5 metres of the approach to a stop sign or yield sign;
- (f) within 5 metres of any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant;
- (g) within 1.5 metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
- (h) within 5 metres of the near side of a marked crosswalk;
- (i) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
- (j) at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
- (k) on the roadway side of a vehicle parked or stopped at the curb of edge of the roadway.

(2) Section 32.1 (1) (a) shall not apply to E-scooters.

PARALLEL PARKING

32.2¹ When parking on a roadway, a driver shall park his vehicle facing the direction of travel authorized for that portion of the roadway on which the vehicle is parked, with its sides parallel to and its wheels not more than 500 millimetres from the curb or edge of the roadway.

ANGLE PARKING

32.3² Where angle parking is permitted or required, a driver shall park his vehicle with one front wheel not more than 500 millimetres from the curb or edge of the roadway and with its sides between and parallel to any two of the visible parking guidelines, or at an angle of between 30 and 60 degrees to the curb or edge of the roadway where no parking guidelines are visible.

VEHICLE ON JACK

32.4³ No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.

ABANDONING OF VEHICLE

32.5⁴ (1) No person shall park a vehicle, holiday trailer or recreation vehicle on a highway at the same location in excess of 72 continuous hours.

¹ 3186/B-98

² 3186/B-98

³ 3186/B-98

⁴ 3186/B-98, 3186/A-2005

- (2) Where public parking is permitted on public or private property, no person shall park a vehicle, holiday trailer or recreation vehicle in excess of 48 continuous hours without the express or implied consent of the owner or person in lawful possession or control of the property.
- (3) Except as provided for in the City of Red Deer Land Use Bylaw, no owner or occupant of a site shall permit a vehicle, holiday trailer or recreation vehicle parked on such site to be used for living or sleeping accommodation.
- (4) In a residential district no person shall park a recreation vehicle or holiday trailer on a highway immediately adjacent to or directly in front of a residence without the consent of the owner or occupant of that residence.
- (5) For the purpose of subsection 32.5(1) and (2), a vehicle shall be deemed to be continuously parked in a location unless it has been moved at least one City block from that location.

32.6¹ No person shall drive or park a vehicle on any highway so as to block, obstruct, impede or hinder traffic thereon. This prohibition does not apply where the obstruction is unavoidable due to mechanical failure of the vehicle provided that the person promptly takes measures to remove the vehicle from the highway within 48 hours.

EMERGENCY VEHICLES

33 Nothing in this bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks, or any other emergency vehicle as well as vehicles engaged in highway repair, maintenance, or inspection from

¹ 3186/A-2005 / ² 3186/A-98, 3186/A-2000, 3186/B-2000

being parked on the roadway by their operators in the performance of their duties.

DISABLED PARKING

- 34² (1) The owner or operator of a motor vehicle which is not identified by a disabled persons placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated for disabled parking.
- (2) Where, pursuant to subsection 34(1), the vehicle is identified by a disabled persons placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated for Disabled Parking.

PART 5**PARKING ON PRIVATE PROPERTY****PRIVATE PROPERTY**

- 35 (1) No person shall park a vehicle, or trailer on private land which has been clearly marked as such by a sign containing the words meaning "No Parking on Private Property. Unauthorized vehicles will be towed at owners expense", or words to the like effect, erected by the owner, tenant, or their agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.
- (2) No person shall park a vehicle or trailer on a parking lot on private land to which the public has access contrary to the terms, conditions, or prohibitions contained in a clearly marked sign erected at the entrance to or within the boundaries of such private land by the owner, tenant, occupant or person in charge of such private land.

(3)¹ Deleted

PARKING IN LEASED STALLS

36 (1) No person other than the lessee shall park a vehicle in any leased parking stall without the express permission of the lessee thereof.

36.1² A property owner, lessee, or the agent of the property owner or lessee, may report the license number and location of a vehicle parked in contravention of Section 35(1), 35(2) or 36(1) to any bylaw enforcement officer or peace officer and shall give his or her name, address and telephone number to the bylaw enforcement officer or peace officer upon request.

(2)³ Deleted

¹ 3186/A-2005

² 3186/A-2005

³ 3186/A-2005

PART 6

PARKING ON CITY PROPERTY

CITY PROPERTY

37¹ No person shall operate or park any vehicle upon any land owned by the City which the City uses or permits to be used as a playground, boulevard, recreation or public park, Transit Terminal or any utility right of way, except on such part thereof as the City Engineer may designate by a sign or signs for vehicular use or parking.

37.1² Section 37 shall not apply to police, fire, emergency or City owned vehicles.

37.2³ Unless permitted by The City, no person shall do any of the following on a highway or boulevard:

- (a) display any goods for sale;
- (b) offer any goods for sale;
- (c) sell any goods;
- (d) park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises.

CITY EMPLOYEE PARKING

38 No person except a City employee to whom a space is assigned, shall park any vehicle in any parking space upon City owned property, between 7:00 a.m. and 5:00 p.m., Monday to Friday inclusive, except holidays,

¹ 3186/C-2002, ² 3186/C-2002, ³3186/B-2006

where such space has been reserved for a vehicle operated by a City employee.

CITY PARKING LOT

- 39 (1) Council may, by resolution, designate such City owned lands as it deems necessary as City parking lots in which parking stalls may be rented to persons.
- (2) No person shall park a vehicle on a City owned parking lot in contravention of the prohibitions stated on any sign.
- (3) ¹No person shall park a vehicle in any City parking lot or parkade without first obtaining a daily or monthly parking pass permitting parking therein, subject to the terms and conditions of any sign or printed on the said pass, and approved by the Inspections and Licensing Manager.
- (4) ²No person shall store any vehicle in any City parking lot or parkade without a permit. A vehicle shall be deemed to be stored when it remains in the parking lot or parkade for 36 consecutive hours or longer. Any vehicle so stored may be removed and stored by the City and the costs thereof shall be charged to and shall be payable by the owner, in addition to any fine or penalty imposed in respect to any such violation.
- (5) The City shall not be liable for any loss or damage howsoever caused that may occur to any personal property, including a vehicle while any vehicle is parked on any City parking lot, or upon any City lands, or as a result of any removal and/or storage pursuant to Section 39(4).

¹ 3186/A-2010, ² 3186/A-2010

PART 7

PARKING METERS

METER VIOLATION

- 40 No person shall park a vehicle or allow a vehicle to remain in a metered space while the violation or time expired indicator shows on the parking meter for such space during the hours and days shown on the meter head or pipe, except on a holiday, or such other day except by resolution of Council.

METER VIOLATION SECOND OFFENCE

- 41 After the issuance of an offence ticket concerning a vehicle for a first violation of Section 40 and, should the vehicle be found in the same metered space after the expiration of the maximum time indicated on the parking meter, or 120 minutes in the case of parking meters providing for 2 hour parking or more, while the violation or time expired indicator shows on the parking meter, a second violation shall be deemed to have occurred.
- 42 For the purposes of Part 7 of this bylaw, a vehicle shall not be deemed to be “parked” by reason only of its standing in a metered space while the violation or time expired indicator shows on the parking meter, if a person is engaged in putting the parking meter into operation.

METER EXEMPTION STICKER

- 43 Sections 40 and 41 shall not apply where a vehicle bearing a card, sticker or permit authorized by the Inspections and Licensing Manager is displayed on the lower center of the windshield of the vehicle is parked in accordance with the restrictions or privileges stated on such card, sticker or permit.
- 43.1¹ Vehicles bearing a valid handicapped placard or license plate issued or approved under the Traffic Safety Act and regulations thereunder are exempt from the required meter payments in a Marked Handicapped Stall.
- 43.2² Sections 40 and 41 do not apply to a vehicle operated by a licensed delivery/courier service occupying a metered space for not more than fifteen (15) consecutive minutes and on which is displayed a valid parking permit in a form duly authorized by the Inspections and Licensing Manager.

UNAUTHORIZED METER EXEMPTION STICKER

- 44 No person shall display on a vehicle a card, sticker or permit purporting to exempt the vehicle from the provisions of Sections 40 and 41 unless the said card, sticker or permit is duly authorized by the Inspections and Licensing Manager.

METERED SPACE REGULATIONS

¹ 3186/A-98, 3186/A-2005, 3186/B-2006, ²3186/B-2006

- 45 Any operator of a vehicle when parking in a metered space shall conform to the following regulations:
- (a) Park within lines: the vehicle shall be parked wholly within the area designated as a metered space by lines or other markings;
 - (b) Angle parking: if the metered space is at an angle to the curb or sidewalk, the operator of any vehicle occupying such space shall park the vehicle at the angle so designated, with the foremost part thereof parked at the curb;
 - (c) Parallel parking: if the metered space is parallel to the curb or sidewalk, the operator of any vehicle occupying such space shall park the vehicle parallel to such curb or sidewalk so that the foremost part or rearmost thereof shall be alongside of and as near to the parking meter for that metered space as practicable;
 - (d) Notwithstanding the provisions of this section, a vehicle, or a combination of a vehicle and attached trailer, may be parallel parked in two adjoining metered spaces parallel to the curb where the required fee is inserted in the meters for each metered space.

INSERTING FEE

- 46 The required fee shall be deposited in the parking meter by the operator of a vehicle as soon as the vehicle is parked in a metered space, and the person inserting the coin or coins shall put the parking meter in operation by turning the handle provided for that purpose except where the meter is automatic. Thereafter the metered space may be lawfully occupied by such vehicle until the violation or time expired indicator shows on the parking meter. Such operator may use the unexpired time remaining on

the meter from its previous use without depositing a coin. The right of occupation of a metered space by a vehicle is subject to the prohibition against parking indicated on any sign attached to the parking meter.

METER FEES

- 47 The fee for parking in any metered space shall be such amount as shown upon the parking meter, and as authorized by Council.

HOODED METERS

- 48 No person shall park a vehicle upon a highway at any metered space where the parking meter has been hooded pursuant to the Use of Streets Bylaw, other than persons to whom such spaces have been leased. Any vehicle found parked in violation of this section may be removed in the same manner as provided for in Section 39(4).

TAXI CABS

- 49 Except as hereinafter provided, a taxi cab shall not occupy a metered space except when taking on or discharging passengers providing such period does not exceed 2 minutes.
- 50 Subject to deposit of the required fee in a parking meter, the operator of a taxi cab may park such vehicle in a metered space regulated by such parking meter whenever:
- (a) the said taxi cab is not for hire; or

(b) the said taxi cab is in use and the meter is running.

51 Notwithstanding anything herein contained, all vehicles owned by or under contract to the City, any emergency vehicles such as ambulances, fire trucks, police or enforcement vehicles, as well as any utilities service including telephone, electrical, natural gas and cable vision services are hereby exempt from Sections 26 and 27 and all of Part 7 of this bylaw when parked in performance of their duties.

PART 7A

TRANSIT TERMINAL

LOITERING WITHIN A TRANSIT TERMINAL

51.1¹ (1) DELETED

- (2) ²No person shall enter upon the grounds of the Transit Terminal or parkade outside the normal operating hours of Red Deer Transit. This provision shall not apply to police or emergency services personnel, or to municipal employees or their agents while on official City business.

WALKING WITHIN TRANSIT TERMINAL

- (3) ³No person, who is not in a motor vehicle, shall travel in any area of the Transit Terminal or parkade ramp that is meant only for the passage of motor vehicles. This provision shall not apply to police or emergency services personnel, or to municipal employees or their agents while on official City business.

LITTERING

(4) ⁴DELETED

(5) ⁵DELETED

¹ 3186/C-2002, 3186/A-2010

² 3186/A-2010

³ 3186/A-2010

⁴ 3186/A-2010

⁵ 3186/A-2010

ANIMALS WITHIN TRANSIT TERMINAL AREA

- (6) No person shall bring any animal into a Transit Terminal area.

- (7) Section 51.1(6) shall not apply to a registered medical service animal, a police service animal, or any other animal which is specifically authorized by the Transit Manager to be brought into the area.

PART 8**SPECIAL CLASSES OF VEHICLES****ANGLE PARKING OF VEHICLE EXCEEDING 6 METRES**

- 52 No person shall angle park, or load or unload any public service vehicle or commercial vehicle which exceeds 6 metres in overall length upon any highway, except at such locations as have been designated by the City Engineer either by a sign or in writing.

PARKING VEHICLE EXCEEDING 6 METRES NEAR RESIDENCE

- 53 (1)¹ With the exception of a recreation vehicle, no person shall park a vehicle or a vehicle with a trailer attached exceeding 6 metres in length, or a truck tractor unit with or without a semi-trailer or trailer attached, on a highway, in front of, across from or adjacent to residential property.
- (2)² No person shall park an unattached trailer on a highway in front of, across from, or adjacent to residential property.
- (3)³ This section shall not apply to:
- (a) a vehicle being parked on a highway while unloading or loading goods to or from a premises;
 - (b) a utility or other trailer being temporarily used for the purpose of construction, demolition, or landscaping, providing that such utility

¹ 3186/B-98

² 3186/B-98

³ 3186/B-98

or other trailer does not obstruct other users of the highway and is clearly visible and attended at all times.

OCCUPYING RECREATION VEHICLE OR TRAILER WHILE PARKED

54 No person shall occupy any recreation vehicle or holiday trailer as a dwelling or sleeping place at any time while it is parked on a highway.

OVERDIMENSION/OVERWEIGHT PERMITS

¹55 (1) No person shall operate a vehicle:

(a) which exceeds 4.5 m in height, including load, under the bridge located at 60 Street and Gaetz Avenue; or

(b) ²Deleted.

(2) No person may park any vehicle containing an Oversize Load on any street within the City.

(3) No person shall operate a vehicle which exceeds any of the following dimensions on any road within the City of Red Deer, except upon the High and Wide Load Corridor:

(a) length – 27.7 m

(b) height – 5.4 m

(c) width – 4.45 m

(d) weight – 90,000 kg

¹ 3186/B-2002, ²3186/C-2011

- (4) No person shall operate a vehicle which exceeds any of the following dimensions on the High and Wide Load Corridor within the City of Red Deer:
- (a) length – 48.7 m
 - (b) height – 8.3 m
 - (c) width – 7.6 m
 - (d) weight – 181,800 kg
- (5) A person may operate an Oversize Vehicle or a vehicle carrying an Oversize Load, provided that the vehicle is operated on the roads permitted under the provisions of Section 55 (3) or Section 55 (4), whichever is applicable, and further provided that:
- (a) the operator is in possession of a permit from the Motor Transport Branch of Alberta Transportation and Utilities;
 - (b) the operator is in possession of a Move Approval permit issued by the City; and
 - (c) the operator operates such Oversize Vehicle or vehicle carrying an Oversize Load within the conditions stipulated on the permits.
- (6) The routing for and permitted hours of operation of the High and Wide Load Corridor for the City are as follows:

Routing

- Taylor Drive, from Highway 11A to Edgar Industrial Drive
- Edgar Industrial Drive, from Taylor Drive to 68 Avenue
- 68 Avenue, from Edgar Industrial Drive to 67 Street

- 67 Street, from 30 Avenue to 68 Avenue
- 30 Avenue, from 55 Street to 67 Street
- 55 Street, from 20 Avenue to 30 Avenue

Hours of Operation

- 4 a.m. to 7 a.m., 7 days a week, with restrictions on Statutory Holidays (based on availability of manpower)
- (7) No movement of an Oversize Vehicle or a vehicle carrying an Oversize Load shall be allowed within the City without three days prior notice to the City Engineer.
- (8) ¹The fee for a Move Approval permit on the High and Wide Corridor will be assessed at a rate determined by The City annually based upon the average cost to The City for manpower, administrative and equipment costs related to Over Dimension Vehicles or Oversize Load Requests.
- (9) ³The provisions of Section 55(3) and (4) do not apply to a person who has received a Move Approval Permit under the provisions of Section 102.1 and who moves an Oversize Load or Oversize Vehicle in accordance with the terms of such permit.

56² A person who operates an Oversize Vehicle or a vehicle carrying an Oversize Load shall produce to a Peace Officer or a Bylaw Officer on demand a copy of the Permit issued by the Motor Transport Branch of Alberta Transportation and a copy of the Move Approval permit or shall identify the Permit number(s).

¹ 3186/B-2006, ²3186/B-2002, ³3186/C-2011

- 57¹ (1) The City Engineer may issue a Move Approval Permit on receipt of the applicable fee together with an application containing information with respect to the following:
- (a) the name and address of the owner, operator, and driver of the vehicle and their telephone numbers;
 - (b) a description of the Oversize Vehicle or Load containing all pertinent information as to the type, dimensions, and weight of the vehicle and load;
 - (c) the day, date, and hours during which it is proposed that the Oversized Vehicle or Load will travel and the route which it is proposed the vehicle will take;
 - (d) such other information as in the reasonable opinion of the City Engineer is required in order to consider any of the matters in respect of which the Permit may be granted.
- (2) The City Engineer may include in any Move Approval Permit any provisions which are reasonably necessary to ensure the safe passage of the Oversized Vehicle or Oversized Load through the City, including provisions with respect to the following:
- (a) the need for a pilot truck escort;

¹ 3186/B-2002

- (b) special route restrictions due to road closures or construction;
- (c) any unusual restrictions as to the times within which the Oversized Vehicle or Load may travel on City streets;
- (d) bridge and roadway structural capacity; and
- (e) geometric design of intersections and roadways.

VIOLATION OF PERMIT CONDITIONS

58 Any person who:

- (a) fails to obtain a permit as required under this part;
- (b) contravenes the conditions of any permit issued under this part;

is guilty of an offence.

WEIGHT LIMITS

- 59 (1) Notwithstanding that a permit has been issued, no person shall operate a vehicle on a bridge where such vehicle, with or without load, exceeds the weight designated by a sign at or near the bridge as the maximum load permitted on such bridge.

- (2)¹ No vehicles shall be operated on City streets in an overloaded condition and contrary to the axle loadings as cited in the Regulations under the *Traffic Safety Act*.

REFUSING TO STOP FOR PEACE OFFICER

- 60 An operator of a public vehicle or combination of vehicles:
- (a) who fails or refuses to stop and permit the vehicle or combination of vehicles to be inspected by a peace officer; or
 - (b) who fails or refuses, when directed by a peace officer, to permit the weighing of a vehicle or combination of vehicles or to stop the vehicle or combination of vehicles, in a suitable place designated by a peace officer pending removal of excess weight;
- is guilty of an offence.

VEHICLE WITH METAL LUGS

- 61 Unless a permit to do so has been issued by the City Engineer, no person shall operate on a highway a vehicle or trailer having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire or track for such vehicle. This prohibition does not apply to the use of studded tires or tires with chains.

¹ 3186/A-2005

TRUCK ROUTES

- ¹62 Except as provided in Sections 64, 65, and 66, no person shall operate a Heavy Vehicle upon a highway within the City of Red Deer other than on a highway specified as a Truck Route in Schedule “F” of this Bylaw.
- ²63 No person shall park a Heavy Vehicle upon a highway within the City of Red Deer other than upon a highway specified as a Truck Route in Schedule “F” of this Bylaw.

EXEMPTIONS

- 64 Section 63 shall not apply when the heavy vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest truck route:
- (a) when delivering or collecting goods or merchandise to or from the premises of bona fide customers;
 - (b) when moving a building for which an over dimension permit has been issued by the City;
 - (c) when going to or from non-residential premises for the servicing of the heavy vehicle;
 - (d) when pulling a disabled vehicle from a highway prohibited to heavy vehicles.

¹ 3186/B-2002

² 3186/B-2002

- 65 Section 63 shall not apply to:
- (a) persons driving a public passenger vehicle; or
 - (b) persons driving a vehicle that is owned by or under contract to the City, including emergency vehicles such as ambulances, fire trucks, police or enforcement vehicles as well as any public utilities vehicles including telephone, electrical, natural gas and cable vision system while such vehicle is actually engaged in work at locations not designated as a truck route. The onus for establishing that the vehicle is actually in work for the purposed aforesaid is on the person operating or in charge of the vehicle and such proof must be provided upon the demand of a peace officer.
- 66 Persons that have more than one delivery, collection or service in the same area, may make all deliveries, collections or services within that area before proceeding by the most direct and practical route to the nearest truck route. In this section "area" is defined as one bounded on all sides by a truck route, or separated from other areas of the City by a truck route. Nothing in this section shall be deemed to exempt any person from the provisions of Sections 59 to 61 inclusive of this bylaw.

SHIPPER AND CARRIER LIABLE

- 67 Where the operation of a public vehicle contravenes any provision of this bylaw, the shipper and the carrier are jointly and severally liable for the contravention unless the shipper or the carrier, as the case may be, proves to the satisfaction of the court that the contravention occurred without his consent, express or implied.

CONTRAVENTION PRIOR TO CERTIFICATE

- 68 The granting of a certificate or permit for any operation of a public vehicle is not a defense with respect to any contravention in the operation of such vehicle which occurred prior to the granting of the certificate or permit.

DOCUMENT AS EVIDENCE

- 69 Every document purporting to be signed by the City Engineer shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

CERTIFICATE UNDER *WEIGHTS AND MEASURES ACT (CANADA)*

- 70 In a prosecution under this bylaw or any order made under this bylaw, a certificate purporting to be issued and signed by an inspector under the *Weights and Measures Act (Canada)* and bearing a date not more than one year either before or after the date of the offence charged, shall be admitted in evidence as prima facie proof of the facts stated in the certificate without proof of the signature or official character of the person signing the certificate.

CERTIFICATE OF PEACE OFFICER

71 In a prosecution under this bylaw, a certificate purportedly signed by a peace officer stating;

- (a) that the weight was measured on a portable scale; and
- (b) (i) the gross weight of a public vehicle or a combination of public vehicles and the load being carried thereby; or
- (ii) the gross axle weight transferred to the road through any point or points of contact of the vehicle or combination of vehicles with the road; or
- (iii) that the operator of the vehicle or combination of vehicles accepted the weight determined as being accurate;

shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

BILLS OF LADING AS EVIDENCE

72 In a prosecution under this bylaw, the bills of lading produced to a peace officer by the operator of a public vehicle, or certified true copies thereof, shall be admitted in evidence as prima facie proof of the origin and destination of the trip and description of the load carried, without proof of the signature or official character of the person signing the bills of lading or certifying the copies.

OPERATING RULES FOR CITY BUSES

- 73 (1) Notwithstanding any other provisions of this bylaw, where a bus of the Red Deer Transit System is stopped at or has approached within 9 metres of an intersection and signalled that the driver intends to turn right at such intersection, then the driver of a vehicle travelling in the same direction shall not overtake or pass to the right of such bus.
- (2) Every bus of the Red Deer Transit System shall carry a notice on the rear, near the right turning signal reading “do not pass on right when signal on” or similar words.
- 73.1¹ With the exception of police vehicles and City of Red Deer vehicles, no person shall operate a vehicle on a highway or other place within the City of Red Deer where the operation of vehicles is restricted to Red Deer Transit bus use only.

OPERATING RULES FOR E-SCOOTERS

- 73.2 No person shall operate an E-Scooter on or across any highway except on:
- (a) a designated bicycle lane;
 - (b) sidewalk or boulevard;
 - (c) trail;
 - (d) crosswalk; or
 - (e) lane.

¹ 3186/A-2005

PART 9**PARADES AND PROCESSIONS****PERMIT NECESSARY**

- ¹74 (1) No person or organization shall hold, organize, or take part in any Special Event on a highway without first obtaining a Special Even permit from the City Manager.
- (2)² (a) Notwithstanding anything in this bylaw, a procession of vehicles within the City that is part of a military or funeral procession does not require a permit, but must comply with the provisions of the *Traffic Safety Act* and regulations thereunder.
- (b) Vehicles in a funeral procession may enter an intersection without stopping provided they comply with the provisions of the *Traffic Safety Act* and regulations thereunder.
- (3) Every participant in a Special Event and the organization and leaders thereof shall be guilty of an offence for each violation of Section 74 (1).
- ³75 (1) Any person desiring to hold a Special Event on City property or a highway within the City shall apply in writing to the City Manager at least 4 weeks prior to the proposed date of the event. The application shall include thee following information:

¹ 3186/B-2001

² 3186/A-2005

³ 3186/B-2001

- (a) the name, address and telephone number of the applicant and, if the applicant is an organization, the names, addresses and occupations of the executive thereof;
 - (b) a signed undertaking from the person who will be in control of the event, agreeing to be responsible for the good order and conduct thereof;
 - (c) the nature and object of the Special Event;
 - (d) the date and time during which the Special Event is proposed to be held;
 - (e) the intended route or area proposed to be covered by the Special Event;
 - (f) the approximate number of people and/or vehicles anticipated to take part in the event;
 - (g) any other information required by the City Manager.
- (2) Where an event requires the partial or complete closure of a road or other public area, then, an applicant must pay all costs incurred by the City in connection with the event including advertising, signage barricading and staff time in respect of road closure and traffic control measures.

- ¹76 (1) On receipt of a completed application the City Manager shall issue a Special Event permit unless, in the reasonable opinion of the City Manager:
- (a) there are grounds to believe that the event will substantially and unreasonably interfere with the right of members of the public to use City roads for the free passage of persons and vehicles; or
 - (b) the event constitutes a danger to the health and safety of the public or to the security of property.
- (2) The City Manager may add conditions to a Special Event Permit which are reasonably necessary to ensure the safety of the public, protection of property and the orderly conduct of the event. Such conditions may include a requirement for the provision of liability insurance.
- ²77 Nothing in Sections 15 or 16 shall be construed as prohibiting the assembly of persons for the purpose of watching a Special Event duly authorized by the City Manager.

¹ 3186/B-2001

² 3186/B-2001

PART 10
MISCELLANEOUS

- 78 No person shall operate a heavy vehicle on or across any sidewalk except at a curb cut or approved crossing without first planking the sidewalk to ensure that such sidewalk will not be damaged.
- 79 (1) No person shall be entitled to obtain vehicular access to a lot or parcel of land from any highway at a point not approved by the City Engineer in his sole discretion and subject to such conditions as the City Engineer may impose.
- (2) The City Engineer may refuse permission to any person applying for access across a sidewalk or boulevard if, in his discretion, local conditions do not justify such access.
- 80 (1)¹ Any person being in or upon any City bus or Transit Terminal Area or parkade owned or operated by the City shall observe and obey any rules, regulations, or orders made or approved by Council for and in respect thereof.
- (2)² Any peace officer, operator, or other person from time to time in charge of a City bus, Transit Terminal, or parkade may evict there from any person breaching the rules, regulations or orders, using such force as is reasonably necessary.

¹ 3186/C-2002, 3186/A-2010, ² 3186/C-2002 , 3186/A-2010

PLACEMENT OF SNOW ON ROADWAY

- 81 (1) No person shall place, or cause to be placed, upon any roadway any snow, ice, dirt or other obstruction, other than snow from the immediately adjacent sidewalk.
- (2) Any person who contravenes Section 81(1) shall remove any such snow, ice, dirt, or obstruction from the roadway within 24 hours of the time that such snow, ice, dirt, or obstruction was placed thereon.
- (3) The City may after the expiry of the 24 hours aforesaid, or if deemed necessary at any time, remove and clear away the snow, ice, dirt, or obstruction required to be removed by Section 81(2).
- (4) The person who has placed, caused or allowed to be placed the snow, ice, dirt, or obstruction contrary to Section 81(1), shall pay to the City on demand all costs of removal.
- (5) No employee of the City shall be liable for contravention of Section 81(1) when acting in the performance of his duties.

SNOW REMOVAL FROM SIDEWALKS

- 82¹ (1) All persons owning premises in the following areas of the City shall be responsible for the removal and clearing away of snow, ice, dirt and other obstructions from the sidewalk in any highway adjoining such premises within 48 hours of the time that such snow, ice, dirt or obstruction was deposited thereon;

¹ 3186/B-99, 3186/B-2006

53

Bylaw No. 3186/97

- (a) Land zoned Commercial C1, C1A, C2A, C2B, C3 or C4 under the City's Land Use Bylaw;
 - (b) Land zoned industrial I1A/BSR under the City's Land Use Bylaw;
 - (c) Land zoned residential R1, R1A, R1N, R2, R3, or R4 under the City's Land Use Bylaw, and
 - (d) Land used for schools.
- (2) The City may, after the termination of the 48 hours aforesaid, remove and clear away all snow, dirt, and other obstruction required to be removed by Section 82(1).
- (3)¹ The owner shall make payment on demand to the City of all costs of removal under Section 82 (2).

83 No person shall place or shall cause, suffer, permit, or allow to be placed or maintained, at any location in the City, a light, sign, or any object that emits or reflects light in such manner so as to distract, or interfere with the vision of, persons operating vehicles on any highway in the City.

84 No person operating premises for the sale of new or used vehicles or for washing vehicles shall permit or allow water, mud, or any material washed from a vehicle to flow or be deposited upon a highway.

85 No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken.

¹ 3186/B-2006

- 86 No person shall place any goods, wares, merchandise or other articles of any kind upon a highway or shall expose any goods, wares, or merchandise, or other articles outside any shop, warehouse or building which shall project over any part of the highway unless a license for such use is first obtained from the City, but the provisions of this section does not prohibit the moderate use of a portion of a sidewalk for a reasonable time during the taking in, or delivering of, goods, wares, or merchandise.
- 87 No person shall allow himself to be pulled by a vehicle while he is on a sled, toboggan, skateboard, skis, or other conveyance.

ANIMAL TRAFFIC

- 88 No person shall permit any livestock, horse drawn vehicle or sleigh to stand or be upon any highway whether attended or unattended, so as to obstruct traffic thereon.
- 89 No person shall lead, ride, or drive a horse or other livestock on any City property other than on City roadways, except as provided in other City bylaws. This section shall not apply to those lands known as the Exhibition Grounds.

ROADWAY/HIGHWAY REPAIRS

- 90 No person shall damage any roadway or highway or remove any earth, gravel, concrete, pavement, or other roadway or highway appurtenance or

make any excavation within or under any roadway or highway within the City without having first obtained a permit from the City Engineer.

OBSTRUCTIONS

- 91 No person shall build any fence, house, building, or structure of any kind, or part thereof, over the property line of any highway after the same has been duly established by law, registered survey plan, or resolution of Council, or shall obstruct in any way the highways within the City except as specifically permitted for in this bylaw or except in accordance with any contract that may be entered into between the City and that person.
- 92 (1) No person shall place, pile or store any material or equipment on City property without first applying for and obtaining a permit for such purpose from the City Engineer under the Use of Streets Bylaw.
- (2) Any person placing or causing to be placed, any dirt, gravel, concrete or any such obstruction on City property without a permit shall remove or cause the removal thereof as soon as reasonably possible and in any event no later than 24 hours after notification to do so by the City Engineer. After 24 hours or such lesser time as specified by the City Engineer, the City may remove the obstruction, perform all necessary repairs and charge the costs thereof to the person causing the obstruction.

PLACEMENT OF SALT ON SIDEWALKS

- 93 No person shall sprinkle, spread, or place any salt on a sidewalk, or on a roadway, unless with the permission, or under the direction, of the City Engineer.

- 94 No person shall drain the radiator or any other fluid of a vehicle so that the contents thereof fall upon or flow to any highway.

¹BOULEVARD DEVELOPMENT/MAINTENANCE

- ²95 An owner of private property shall ensure that trees or shrubs growing on his property, and on adjacent boulevards between his property line and the curb, shall be trimmed so that no branches project over a sidewalk at an elevation of less than 225 cm (7.5 ft.) or over a roadway or alley at an elevation of less than 412 cm (13.5 ft.).
- ³96 Except for trimming required under Section 95, no person shall remove, pollard, destroy, or injure any tree that is planted or growing on a boulevard planting strip or on any City lands adjacent to any street without prior written permission from the Recreation Parks & Culture Manager. Where such permission is granted, the person requesting such permission shall be responsible for all costs associated with the removal, as well as for the value of the tree as determined by the Recreation Parks & Culture Manager.
- 97 The Parks Manager shall not grant a request for the removal of such a tree unless, in the opinion of the Parks Manager, there are exceptional circumstances which warrant such removal. If a request for removal for a tree is granted, the owner shall be responsible for the cost of such removal plus the value of the tree as approved by the Parks Manager.

¹ 3186/B-2002

² 3186/B-2002

³ 3186/B-2002

RECOVERY OF COSTS

- 98 (1) The City Engineer may require any person concerned to comply with and remedy a breach of the provisions of Sections 90 through 97. If a person fails to comply with such notice, the City Engineer may direct employees or agents of the City to carry out the work and to enter upon private property, if necessary, for such purpose.
- (2) All costs incurred by the City to remedy such default shall be paid on demand to the City by the person in default.

OFF-HIGHWAY VEHICLES

- 99 (1) A peace officer, City employee or agent of the City, or a park control officer may operate an off-highway vehicle on highways or lands owned by the City where such operation is required in connection with the patrol or maintenance duties of such person.
- (2) For the purpose of this section, "off-highway vehicle" shall have the meaning given to it in the *Off-Highway Vehicle Act* and "Park Control Officer" shall have the meaning given to it in the Parks and Public Facilities Bylaw.

OPERATION OF SCHOOL BUSES

- 100 No person shall activate the flashing red lights or stop arms of a school bus on any highway where such highway has been constructed with curbs and gutters.

DANGEROUS GOODS

- 101 No person shall dump or spill, or suffer, allow or permit the dumping or spilling of any dangerous goods for which placards are required by the *Transportation of Dangerous Goods Control Act* and regulations made thereon or any similar legislation on any City lands or highway.

PART 11
AUTHORITY OF THE CITY MANAGER

- 102 The City Manager is hereby authorized to designate:
- (a) any highway for through traffic purposes;
 - (b) the location of cross-walks upon highways;
 - (c) any intersection, highway, or place on a highway, including a place where a railway right-of-way crosses a highway, as a place where U-turns are prohibited;
 - (d) any highway as one which is closed temporarily in whole or in part to traffic;
 - (e) any areas as one in which parking privileges are temporarily suspended;
 - (f) any highway as one to be divided into traffic lanes of such number as the City Manager considers proper;
 - (g)¹ the location of school zones and playground zones by the placement of traffic control devices;
 - (h) any boulevard upon which parking is permitted;
 - (i)² loading or unloading zones;

¹ 3186/A-2016

² 3186/A-2000

- (j) the location of bus stops;
- (k) the distance from any intersection within which no parking is permitted;
- (l) portions of highways where parking is limited to a period of time;
- (m) portions of highway where stopping is prohibited entirely, or for a specified period of time;
- (n) City employee parking areas wherein parking for employees is allowed only between 7:30 o'clock in the forenoon and 5:00 o'clock in the afternoon from Monday to Friday Inclusive;
- (o) the location of metered zones, meter locations, and metered spaces;
- (p) areas for angle parking and parallel parking;
- (q) the maximum load permitted on any bridge;
- (r) parking spaces upon a highway for the use of any taxi cab business holding a valid and subsisting taxi cab license issued by the City, as a taxi stand;
- (s)¹ parking spaces designated for Disabled Parking.

¹ 3186/A-2000

- 102.1 (a) ¹The City Manager may authorize the City Engineer to issue a Move Approval Permit in special cases for Oversize Vehicles or for vehicles carrying an Oversize Load which are in excess of the maximum dimensions set out in Section 55(4), or which allow a move on routes other than the High and Wide Corridor, or which allow a move at times other than those specified in Section 55(6), provided that the City Manager is of the opinion that such move may be made safely and without damage to municipal infrastructure.
- (b) The City Manager may authorize the City Engineer to specify in a Move Approval Permit issued under this section any or all of the following:
- (i) the maximum allowable dimensions of the Oversize Vehicles or Oversize Load;
 - (ii) the times during which the move may be made;
 - (iii) the route over which the move is permitted to travel;
 - (iv) any special safety considerations which the applicant must employ;
 - (v) the amount of any fee which the applicant must pay to the City where there is no applicable fee provided for pursuant to Section 55(8), provided that such fee must be reasonable fee reflecting the cost to the City for manpower, administrative and equipment costs relating to the permitted move.
- (c) In the exercise of the discretion granted under this section, the City Manager shall ensure that appropriate measures are imposed to ensure

¹ 3186/C-2011

public safety and to ensure that there is no damage to municipal infrastructure.

- (d) All of the provisions of the Traffic Bylaw related to the movement of Oversize Loads and Oversize Vehicles apply to moves permitted under the authority of this section, except as modified hereunder.
- 103 (1) The Council hereby delegates the power to direct where traffic control devices are to be installed or removed according to the table set out in Schedule "K" of this bylaw.
- (2) The City Manager shall cause a record of the locations of all erected signs to be kept, which shall be open to public inspection during the hours that City Hall is open for business.
- 104 The City Manager may:
- (a) issue a card or sticker exempting a vehicle from the provisions of Sections 40 and 41 of this bylaw, which said card, sticker or permit shall state the parking restrictions applicable to the said vehicles;
 - (b) temporarily prohibit parking at any parking meter;
 - (c) prohibit or restrict the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway when the City Manager considers such prohibition or restriction is in the public interest and the better regulation of traffic;
 - (d)¹ engage members of the Canadian Corps of Commissionaires to issue and place on vehicles parked in contravention of the *Traffic*

¹ 3186/A-2005

Safety Act, and amendments thereto or this bylaw, the offence ticket in the form approved, from time to time, by the Chief Bylaw Enforcement Officer of the City;

- (e) specify the types of vehicles which are prohibited from parking on any City owned parking lot;
- (f) approve the form and content of all signs and traffic control devices utilized by the City and by the owners of private land regulated under the provisions of this bylaw.

- ¹105 (1) The City Manager may issue permits for Special Events. These permits will contain such directions to the applicant as the City Manager considers necessary to prevent unnecessary and unreasonable obstruction of highway or to prevent a breach of the peace.
- (2) The City Manager may direct the temporary closure of highways, parking lots, or any other City property during a Special Event where, in the sole discretion of the City Manager, such temporary closure is desirable for the public safety.
- (3) If the City Manager refuses to issue a Special Event Permit, the applicant may appeal to Council. Council may direct the issuance of such permit subject to the provisions of this bylaw, and such other conditions as it deems necessary.

¹ 3186/B-2001

PART 12**PENALTIES AND POWERS OF PEACE OFFICERS****REMOVAL AND IMPOUNDMENT OF VEHICLES**

- 106 (1) A peace officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- (a) operated or parked in contravention of any provision of this bylaw;
or
 - (b) where emergency conditions may require such removal from a highway.
- (2) Such vehicle may be removed to a place designated by the City Manager, where it will remain until claimed by the owner thereof or his agent.
- (3) No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The City is not responsible for impounding, towing or removal charges.

DURING SNOW REMOVAL OR STREET CLEANING

- 107 Notwithstanding anything herein contained, in conjunction with snow removal, street cleaning or road repair operations carried on by the City employees or contractors, the City may tow or remove vehicles from the street being cleaned, cleared or repaired and, without impounding them,

may remove them to an adjacent street. In the case of removal of vehicles from streets within the downtown area (the area bounded on the north by 55th Street, on the south by 43rd Street, on the east by 47th Avenue, and on the west by 52 Avenue), the vehicles may be towed to the parking lot located on 43rd Street south of the Recreation Center and north of the Red Deer Arena.

- 108 Where a vehicle is driven, used, parked or left in contravention of any provision of this bylaw, the owner of the vehicle is liable for the contravention and shall make payment of the penalty prescribed herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.

PROSECUTION OF OFFENCES

- 109 Any person who contravenes any provisions or requirements of this bylaw is guilty of an offence and is liable for and subject to the penalties herein provided.
- 110 The penalties hereinafter specified in Schedule "L" aforesaid are hereby established for contravention of the sections of this bylaw listed in Schedule "L".
- 110.1¹ Notwithstanding the penalties specified in Schedule "L" or Section 113 herein, where a vehicle or trailer is towed in connection with a contravention of this bylaw, without impounding it, the penalty for the contravention shall be increased by an additional \$70.00."

¹ 3186/B-2010

- 111 Where a peace officer has reasonable grounds to believe that a person has contravened any provision of this bylaw listed in Schedule “L” annexed hereto and made part of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence.
- 112 Service of an offence ticket shall be sufficient if it is:
- (a) personally served; or
 - (b) attached to the vehicle in respect of which an offence is alleged to have been committed; or
 - (c) if mailed to the address of the registered owner of the vehicle or to the person in possession of the said vehicle.
- 112.1 (1) If an e-bike or E-Scooter is involved in an offence under the bylaw, the owner of that e-bike or E-Scooter, is guilty of that offence.
- (2) For section 112.1(1), owner includes any person or corporation issued a business licence for e-bike or E-Scooter operations.
- (3) Section 112.1(1) does not apply if the owner of the e-bike or E-Scooter satisfies the court, at the time that the vehicle was involved in the offence, it was not operated or parked with the owner’s express or implied consent.

GENERAL

113¹ Any person who contravenes any of the provisions of this bylaw for which no penalty has been specified, shall be liable on summary conviction to a fine not exceeding \$500.00, exclusive of costs, and in the case of non-payment of the penalty and costs imposed by the court, and subject to Section 160 of the *Traffic Safety Act*, to imprisonment for a period not exceeding 60 days.

PART 13

TRANSITIONAL PROVISIONS

114 Notwithstanding the repeal of Bylaw 2800/82, the provisions of Bylaw 2800/82 shall remain in full force and effect for the purposes of any traffic tags, offence tickets, or prosecutions pending or entered for contravention of Bylaw 2800/82 prior to third reading of this bylaw

115 All Commissioners Orders or City Manager’s Orders issued under the provisions of Bylaw 2800/82 shall for all purposes be deemed to be issued by the City Manager under this bylaw and shall remain in full force and effect, unless expired by their terms.

116 Bylaw No. 2800/82 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 15 day of December A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this 15 day of December A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this 15 day of December A.D. 1997

¹ 3186/A-2005

AND SIGNED BY THE MAYOR AND CITY CLERK this 15 day of December A.D. 1997

"G. D. Surkan"

MAYOR

"Kelly Kloss"

CITY CLERK

Appendix K

Traffic Bylaw No. 3186/A-2021 clean version

BYLAW NO. 3186/97

Being a bylaw of the City of Red Deer, in the Province of Alberta, to control and manage traffic upon Highways within the City of Red Deer;

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1 This bylaw may be called the "Traffic Bylaw".

DEFINITIONS

2¹ The definitions contained in the Interpretation Bylaw of the City of Red Deer and Section 1 of the *Traffic Safety Act*, R.S.A. 2000, c.T-6 and regulations thereunder shall apply to this bylaw unless a contrary intention is specifically stated in this Bylaw. In this Bylaw, the following terms shall have the meanings shown:

"City Engineer" means the Director of Development Services or his deputy, agent, or representative;

²"Commercial loading zone" means a space on a highway, marked with a City authorized sign containing the words "Commercial Loading Zone", for parking of commercial vehicles during actual loading or unloading of goods or other materials.

"Courier Service" means a business that provides courier services;

"Curb" means the actual curb, if there is one or, if there is none, means the point of division between the roadway and that part of the highway not intended for vehicular use;

¹ 3186/B-2000, 3186/A-2005

² 3186/B-2006

“Curb Cut” means a driveway across a sidewalk or curb for vehicular traffic;

“E-Scooter” means a motor vehicle that:

- i) has a permit to operate granted by the province of Alberta;
- ii) has steering handlebars;
- iii) consists of a footboard mounted on two or three wheels; and
- iv) while capable of being propelled by muscular power, may be propelled by one or more electric motors.

“Exhibition Grounds” means the following described lands:

Lot 5, Block 1, Plan 822-2274

excepting thereout all that portion of the aforesaid lands used as a racetrack;

¹“Heavy Vehicle” means a vehicle with or without a load that exceeds any of the following dimensions:

- (a) 2 axles;
- (b) 11 m in length;
- (c) a licensed gross vehicle weight of 7,500 kg

but does not include the type of vehicle commonly known as “recreation vehicle”, which is a vehicle or combination of vehicle and trailer designed for vacation, camping, or similar recreation purposes.

“Holiday” includes Sundays;

“Holiday Trailer” means:

- (i) a trailer that is designated, constructed, and equipped as a permanent or temporary dwelling or sleeping place; or
- (ii) any structure that is designated, constructed and equipped as a permanent or temporary dwelling or sleeping place and intended or capable of being loaded on to or carried upon a motor vehicle or trailer;

“Inspections and Licensing Manager” means the manager appointed by the City Manager to that position;

“Metered Space” means a space or portion of highway in a metered zone marked out pursuant to this bylaw by painted lines or otherwise for the parking of a vehicle and at which space or portion a parking meter has been installed;

“Metered Zone” refers to a portion of highway or other public place within the City where parking meters are installed;

¹“Oversize Load or Oversize Vehicle” means a load or vehicle size which exceeds the Normal Maximum weights or dimensions specified in the vehicle registration certificate or in the *Traffic Safety Act* of Alberta and regulations thereunder for that vehicle, or which exceeds the following maximum dimensions:

- (a) length – 23 m
- (b) height – 4.15 m
- (c) width – 2.6 m

¹ 3186/B-2002

“Parking Meter” means a mechanical device designed for the purpose of indicating the time during which a vehicle may be parked in a metered space;

“Parks Manager” means the Recreation, Parks and Culture Manager appointed by the City Manager to that position;

“Peace Officer”, “Special Constable”, and “Bylaw Enforcement Officer” shall include any employee of the City appointed as a special constable or bylaw enforcement officer and any member of the Canadian Corps of Commissionaires or the City Detachment of the R.C.M.P. appointed or assigned to enforce the provisions of this bylaw;

¹“Playground Zone” means that portion of a highway identified as a playground zone by a traffic control device;

²“Public loading zone” means a space on a highway, marked with a City authorized sign containing the words “Public Loading Zone”, for the parking of non-commercial vehicles during actual loading or unloading of goods or other materials.

“Recreation Vehicle” means a motor vehicle designed, constructed, modified, or equipped as a temporary dwelling place, living abode, or sleeping place;

³“School Zone” means that portion of a highway identified as a school zone by a traffic control device;

¹ 3186/A-2016

² 3186/B-2006

³ 3186/A-2016

“Sign” or “Traffic Control Device” means any sign, signal, marking, or device placed, marked or erected under the authority of this bylaw for the purpose of regulating, warning or guiding as defined in the *Traffic Safety Act* of Alberta and regulations thereunder;

¹“Special Event” means a promotion, parade, procession, race or display that requires use of City property or a highway within the City, and for that purpose:

- (a) “promotion” means one or more persons gathered for the purpose of soliciting, protesting, rallying, entertaining, evangelizing or selling goods or services;
- (b) “parade”, “procession”, “race” or “display” means any group of pedestrians or vehicles or a combination of pedestrian and vehicles, other than a funeral of military processions, marching, walking, running, standing, proceeding or riding upon City property or a highway within the City;

“Taxi-Cab” means a vehicle licensed as a taxi-cab under the Taxi Business Bylaw of the City;

“Time” means either Mountain Standard Time or Mountain Daylight Saving Time, whichever is proclaimed to be in effect by the Province of Alberta;

“Trailer” means a vehicle which is designated to be attached to or drawn by a motor vehicle;

¹ 3186/B-2001

¹“Transit Terminal” means an area intended exclusively for use by public transit vehicles to allow passengers to embark and disembark and for use by passengers awaiting rides on public transit, and includes all buildings, surfaces, structures, walls, fences and street furniture associated therewith and in particular the area shown in the sketch attached as Schedule “M” to this Bylaw.

¹ 3186/C-2002

PART 1

SPEED

SPEED LIMIT GENERAL

3 Unless otherwise provided for in this bylaw, the speed limit in the City shall be 50 kilometres per hour.

SPEED LIMIT IN LANES

4 No person shall drive a vehicle in an alley at a speed in excess of 20 kilometres per hour.

¹SPEED LIMIT IN SCHOOL ZONES AND PLAYGROUND ZONES

4.1 (1) The maximum speed limit for a school zone or a playground zone is 30 kilometres per hour.

4.1 (2) The maximum speed limit for a school zone is in effect between the hours of 8:00 a.m. and 4:00 p.m.

4.1 (3) The maximum speed limit for a playground zone is in effect between the hours of 8:00 a.m. and 4:00 p.m.

SPEED LIMIT IN EXHIBITION GROUNDS

5 No person shall drive a vehicle on the Exhibition Grounds at a speed in excess of 50 kilometres per hour or in excess of such other lower limit as may be posted by the Westerner Exposition Association.

SPEED LIMIT IN TRAILER PARKS; SCHOOLS; SHOPPING CENTERS; MEMORIAL CENTER; CONDOMINIUMS

¹ 3186/A-2016

- 6 No person shall drive a vehicle in excess of 20 kilometres per hour on any land which is part of a trailer park, school, shopping center, condominium property, or the Memorial Center, being Lot E, Plan 3962 HW;

SPEED LIMIT RE: SCHEDULE "A" - 30 Kilometres per Hour

- 7 No person shall drive a vehicle in excess of 30 kilometres per hour on any highway referred to in Schedule "A" of this bylaw.

SPEED LIMIT RE: SCHEDULE "B" - 60 Kilometres per Hour

- 8 No person shall drive a vehicle in excess of 60 kilometres per hour on any highway referred to in Schedule "B" of this bylaw.

SPEED LIMIT RE: SCHEDULE "C" - 70 Kilometres per Hour

- 9 No person shall drive a vehicle in excess of 70 kilometres per hour on any highway referred to in Schedule "C" of this bylaw.

SPEED LIMIT RE: SCHEDULE "D" - 80 Kilometres per Hour

- 10 No person shall drive a vehicle in excess of 80 kilometres per hour on any highway referred to in Schedule "D" of this bylaw.

SPEED LIMIT RE: SCHEDULE "E" - 100 Kilometres per Hour

- 11 No person shall drive a vehicle in excess of 100 kilometres per hour on any highway referred to in Schedule "E" of this bylaw.

SPEED LIMIT RE: SCHEDULE "G"

- 12 No person shall operate a slow moving vehicle on highways referred to in Schedule "G" of this bylaw, between the hours of 7:00 a.m. and 9:00 a.m. or between the hours of 4:00 p.m. and 6:00 p.m., Monday to Friday inclusive.
- 13 The provisions of Section 12 shall not apply to any vehicle owned by or under contract to the City or any other public utilities service including, but not limited to, telephone, electric, natural gas, and cablevision systems, as well as emergency vehicles of every nature and kind including, but not limited to, fire trucks, ambulance services, police services, bylaw enforcement services while such vehicle is:
- (i) actually engaged in maintenance or emergency operations; or
 - (ii) travelling to any location for the purpose of emergency street maintenance operations.

PART 2**RIGHTS AND DUTIES OF PEDESTRIANS****STREET CROSSING WHERE SIGN PROHIBITS OBSTRUCTING HIGHWAY**

- 14 No pedestrian shall cross any highway at a point where a sign prohibits such crossing.
- 15 Two or more persons shall not stand so near to each other on any highway as to obstruct the entrance to buildings or to obstruct or prevent any other persons using such highway, and forthwith upon request being made by any peace officer or other person duly authorized to do so, shall disperse and move away.
- ¹16 No person shall obstruct, impede or inconvenience vehicular or pedestrian traffic or a permitted Special Event.

PUBLIC MEETINGS

- 17 Nothing in Sections 15 and 16 shall be construed as prohibiting the congregating or assembling of individuals to attend and listen to public speaking so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the highway to allow free movement of the ordinary traffic, but should any highway at or near such assembly become in consequence thereof so obstructed as to obstruct or impede such ordinary traffic, the persons so obstructing or impeding shall forthwith move away on being requested to so do by any peace officer or by any other person duly authorized. Any person refusing or failing to forthwith

¹ 3156/B-2001

move away upon being requested as aforesaid shall be guilty of an offence under this bylaw.

WATCHING PARADE

- 18 Nothing in Sections 15 or 16 shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or procession duly authorized by the City Manager.

HITCH HIKING

- 19 No person shall stand upon or walk along a highway for the purpose of soliciting a ride from the driver of any vehicle.

PART 3

BICYCLE PATHS-SIDEWALKS

OPERATE MOTOR VEHICLE ON SIDEWALK

- 20 No person shall operate or park a motor vehicle, other than an E-Scooter, on any sidewalk, pedestrian overpass, bicycle path or pedestrian path on any public lands owned by the City.

BICYCLES ON SIDEWALKS

- 21 No person shall ride a bicycle on a sidewalk where prohibited by doing so by a sign.

SKATEBOARDS ON SIDEWALKS

- 22 (1) No person shall operate a skateboard on City sidewalk on which the operation of a bicycle is prohibited.
- (2) A peace officer may seize and impound for a period of up to 14 days any bicycle or skateboard which is used or operated in contravention of any City bylaw.
- 22.1 No person shall operate a bicycle, E-Scooter, skateboard, roller blades or any similar device on any Transit Terminal or parkade.

PART 4

PARKING-GENERAL

PROHIBITED STOPPING

23 No person shall stop a vehicle where prohibited from doing so by a sign.

PROHIBITED PARKING

24 ¹No person shall stop or park a vehicle at any of the following locations:

- (a)² **Construction Area** – with the exception of authorized construction personnel, upon any portion of a highway marked by a sign as a construction area;
- (b)³ **Bus Area** – (any portion of a highway marked by a sign as a bus stop or bus zone);
- (c)⁴ **Emergency Door** - in any place where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the highway;
- (d)⁵ **Entrance to Fire Hall or Hospital** - in the entranceway to any fire hall or the ambulance entranceway to any hospital;

¹ 3186/B-2006

² 3186/B-2006

³ 3186/B-2006

⁴ 3186/A-2000

⁵ 3186/A-2000

- (e)¹ **Designated Vehicles Only** – with the exception of designated vehicles, upon any portion of a highway marked by a sign as an area for designated vehicles. Without limiting the generality of the foregoing, the following classes of vehicles are designated vehicles:
- (i) police vehicles;
 - (ii) Red Deer Transit System vehicles;
 - (iii) bylaw enforcement vehicles ;
 - (iv) funeral cars owned and being operated by a funeral chapel in the course of performing a funeral; and
 - (v) school buses during such time that such buses are being used to transport students to and from the school, and loading and unloading of such students.
- (f)² **No Parking Zone** - on any portion of a highway marked by a “No Parking” sign,
- (g)³ **Fire Lane** - on any portion of a highway marked by a “Fire Lane No Parking” sign.

LOADING AND UNLOADING

- 24.1⁴ No owner or operator shall stop or park in a Commercial Loading Zone unless:
- (a) the vehicle bears a commercial license plate or is identified as a commercial vehicle through signage; and

¹ 3186/A-2000, 3186/B-2006

² 3186/A-2000

³ 3186/A-2000

⁴ 3186/A-2000, 3186/A-2005, ² 3186/B-2006, ³ 3186/A-2008

- (b) the owner or operator is actively engaged in loading or unloading of the merchandise or other materials; and
- (c) the commercial vehicle is not stopped or parked for a period of time exceeding 30 minutes.

24.2² No owner or operator shall stop or park a vehicle in any Public loading zone unless:

- (a) the owner or operator is actively engaged in loading or unloading a vehicle; and
- (b) the vehicle is not stopped or parked for a period or time exceeding 10 minutes.

24.3³ No person shall park a motor vehicle in such a manner as to obstruct passage on any sidewalk or walkway or on a ramp or access designed to accommodate persons with mobility challenges.

25 (1) **Authority of City Engineer** - The City Engineer is hereby authorized to make provisions and regulations in times of emergencies, during snow removal or street cleaning operations, and in areas where construction or repairs are being carried out upon or near highways, related to the control and regulation of traffic, and without restricting the generality of the foregoing, may:

- (a) designate any highway as one which is closed temporarily in whole or in part to traffic and shall cause such highways to be so marked;
- (b) designate any area as one which parking privileges are temporarily suspended and shall cause such area to be so marked;

- ¹(c) cause moveable signs to be placed on or near a roadway or at the entrance to an area to show where on-street parking is temporarily suspended due to road repair or snow plowing or removal activities at least 12 hours prior to the parking restrictions taking effect;
 - (d) temporarily suspend the existing speed limit and restrict the speed of vehicles to such speed as may be indicated in a sign placed in such areas.
- (2) No person shall park or drive a vehicle in contravention of any sign or signal placed in accordance with any such provision or regulation.
- (3) No person shall tear down, remove or interfere with any such signs, signals, barricades, flares or other things placed in accordance with such provisions and regulations.
- (4) ²No person shall park a vehicle in any location in which parking has been suspended. This section only applies during the period when the parking restrictions declared by the City Engineer are in effect.

ALLEYS

- 26 (1) No person shall park a vehicle in an alley, unless a sign permits parking, but alleys may be used for:
 - (a) the loading or unloading of goods from a commercial vehicle for a period not exceeding 30 minutes; or

¹ 3186/A-2014

² 3186/A-2014

- (b) the loading or unloading of goods or passengers from vehicles other than a commercial vehicle for a period not exceeding 5 minutes, provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the alley as to prevent other vehicles or persons from passing along such lane.
- (2) The portion of alleys designated "Parking Permitted" in Schedule "H" of this bylaw are exempt from the provisions of Section 26.

LIMITED PARKING

- 27 (1) No person shall park a vehicle in excess of the time designated and marked on a sign posted for the purpose of restricting the time for parking a vehicle.
- (1.1)¹ For the purpose of this Section, a vehicle shall be deemed to be continuously parked in the same location unless it has been moved at least one City block away from that location.

SECOND OFFENCE

- (2) After the issuance of an offence ticket concerning a vehicle for the first violation of Section 27 and the vehicle remains parked in excess of the time permitted on the sign for a further period, then a second offence shall be deemed to have occurred and a further offence ticket may be issued for such offence.
- (3) Section 27 shall not apply on a holiday, or such other day excepted by resolution of Council.

¹ 3186/A-2005

UNATTACHED HOLIDAY TRAILER

- 28 (1) No person shall park a holiday trailer upon a highway unless it is attached to a motor vehicle by which it is carried, drawn or propelled.
- (2) When attached to a motor vehicle, a holiday trailer is deemed to be part of the motor vehicle.

TAXI STAND

- 29 (1) No person shall park a vehicle other than a taxi-cab in a marked taxi-cab stand.
- (2) No person shall park and leave a taxi-cab unattended for a period exceeding 5 minutes at any taxi-cab stand unless such stand is at or adjoining the office of the taxi-cab company with which such taxi-cab is affiliated.
- (3) No person shall park a taxi-cab at a taxi-cab stand unless it is for hire.

TAXI CABS

- 30 No person shall park a taxi-cab upon a highway except where authorized by a sign or as permitted by this bylaw.

- 31 A taxi-cab not for hire may park at a place where a sign so designates or as authorized by this bylaw for the parking of any vehicle.
- 32 In this bylaw a taxi-cab shall be deemed to be “for hire” unless, when parked:
- (a) its windows and doors are closed and locked;
 - (b) there is visibly displayed in the front windshield a printed sign in a form approved by the City Manager stating that the vehicle is not for hire; and
 - (c) the operator or any occupant of the taxi-cab does not solicit any business for such vehicle.

PROHIBITED PARKING/STOPPING

- 32.1¹ (1) Except as required or permitted by this bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, **a driver shall not stop or park his vehicle:**
- (a) on a sidewalk or boulevard;
 - (b) on a crosswalk;
 - (c) within an intersection other than immediately next to the curb in a “T” intersection;

¹ 3186/B-98

- (d) at an intersection nearer than 5 metres to the projection of the lateral curb line of the highway at right angles to the direction of travel of the vehicle;
 - (e) within 5 metres of the approach to a stop sign or yield sign;
 - (f) within 5 metres of any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant;
 - (g) within 1.5 metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
 - (h) within 5 metres of the near side of a marked crosswalk;
 - (i) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - (j) at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
 - (k) on the roadway side of a vehicle parked or stopped at the curb of edge of the roadway.
- (2) Section 32.1 (1) (a) shall not apply to E-scooters.

PARALLEL PARKING

- 32.2¹ When parking on a roadway, a driver shall park his vehicle facing the direction of travel authorized for that portion of the roadway on which the vehicle is parked, with its sides parallel to and its wheels not more than 500 millimetres from the curb or edge of the roadway.

ANGLE PARKING

- 32.3² Where angle parking is permitted or required, a driver shall park his vehicle with one front wheel not more than 500 millimetres from the curb or edge of the roadway and with its sides between and parallel to any two of the visible parking guidelines, or at an angle of between 30 and 60 degrees to the curb or edge of the roadway where no parking guidelines are visible.

VEHICLE ON JACK

- 32.4³ No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.

ABANDONING OF VEHICLE

- 32.5⁴ (1) No person shall park a vehicle, holiday trailer or recreation vehicle on a highway at the same location in excess of 72 continuous hours.
- (2) Where public parking is permitted on public or private property, no person shall park a vehicle, holiday trailer or recreation vehicle in excess of 48

¹ 3186/B-98

² 3186/B-98

³ 3186/B-98

⁴ 3186/B-98, 3186/A-2005

continuous hours without the express or implied consent of the owner or person in lawful possession or control of the property.

- (3) Except as provided for in the City of Red Deer Land Use Bylaw, no owner or occupant of a site shall permit a vehicle, holiday trailer or recreation vehicle parked on such site to be used for living or sleeping accommodation.
- (4) In a residential district no person shall park a recreation vehicle or holiday trailer on a highway immediately adjacent to or directly in front of a residence without the consent of the owner or occupant of that residence.
- (5) For the purpose of subsection 32.5(1) and (2), a vehicle shall be deemed to be continuously parked in a location unless it has been moved at least one City block from that location.

32.6¹ No person shall drive or park a vehicle on any highway so as to block, obstruct, impede or hinder traffic thereon. This prohibition does not apply where the obstruction is unavoidable due to mechanical failure of the vehicle provided that the person promptly takes measures to remove the vehicle from the highway within 48 hours.

EMERGENCY VEHICLES

33 Nothing in this bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks, or any other emergency vehicle as well as vehicles engaged in highway repair, maintenance, or inspection from being parked on the roadway by their operators in the performance of their duties.

¹ 3186/A-2005 / ² 3186/A-98, 3186/A-2000, 3186/B-2000

DISABLED PARKING

- 34² (1) The owner or operator of a motor vehicle which is not identified by a disabled persons placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated for disabled parking.
- (2) Where, pursuant to subsection 34(1), the vehicle is identified by a disabled persons placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated for Disabled Parking.

PART 5**PARKING ON PRIVATE PROPERTY****PRIVATE PROPERTY**

- 35 (1) No person shall park a vehicle, or trailer on private land which has been clearly marked as such by a sign containing the words meaning "No Parking on Private Property. Unauthorized vehicles will be towed at owners expense", or words to the like effect, erected by the owner, tenant, or their agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.
- (2) No person shall park a vehicle or trailer on a parking lot on private land to which the public has access contrary to the terms, conditions, or prohibitions contained in a clearly marked sign erected at the entrance to or within the boundaries of such private land by the owner, tenant, occupant or person in charge of such private land.

(3)¹ Deleted

PARKING IN LEASED STALLS

36 (1) No person other than the lessee shall park a vehicle in any leased parking stall without the express permission of the lessee thereof.

36.1² A property owner, lessee, or the agent of the property owner or lessee, may report the license number and location of a vehicle parked in contravention of Section 35(1), 35(2) or 36(1) to any bylaw enforcement officer or peace officer and shall give his or her name, address and telephone number to the bylaw enforcement officer or peace officer upon request.

(2)³ Deleted

¹ 3186/A-2005

² 3186/A-2005

³ 3186/A-2005

PART 6**PARKING ON CITY PROPERTY****CITY PROPERTY**

37¹ No person shall operate or park any vehicle upon any land owned by the City which the City uses or permits to be used as a playground, boulevard, recreation or public park, Transit Terminal or any utility right of way, except on such part thereof as the City Engineer may designate by a sign or signs for vehicular use or parking.

37.1² Section 37 shall not apply to police, fire, emergency or City owned vehicles.

37.2³ Unless permitted by The City, no person shall do any of the following on a highway or boulevard:

- (a) display any goods for sale;
- (b) offer any goods for sale;
- (c) sell any goods;
- (d) park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises.

CITY EMPLOYEE PARKING

38 No person except a City employee to whom a space is assigned, shall park any vehicle in any parking space upon City owned property, between 7:00 a.m. and 5:00 p.m., Monday to Friday inclusive, except holidays,

¹ 3186/C-2002, ² 3186/C-2002, ³3186/B-2006

where such space has been reserved for a vehicle operated by a City employee.

CITY PARKING LOT

- 39 (1) Council may, by resolution, designate such City owned lands as it deems necessary as City parking lots in which parking stalls may be rented to persons.
- (2) No person shall park a vehicle on a City owned parking lot in contravention of the prohibitions stated on any sign.
- (3) ¹No person shall park a vehicle in any City parking lot or parkade without first obtaining a daily or monthly parking pass permitting parking therein, subject to the terms and conditions of any sign or printed on the said pass, and approved by the Inspections and Licensing Manager.
- (4) ²No person shall store any vehicle in any City parking lot or parkade without a permit. A vehicle shall be deemed to be stored when it remains in the parking lot or parkade for 36 consecutive hours or longer. Any vehicle so stored may be removed and stored by the City and the costs thereof shall be charged to and shall be payable by the owner, in addition to any fine or penalty imposed in respect to any such violation.
- (5) The City shall not be liable for any loss or damage howsoever caused that may occur to any personal property, including a vehicle while any vehicle is parked on any City parking lot, or upon any City lands, or as a result of any removal and/or storage pursuant to Section 39(4).

¹ 3186/A-2010, ² 3186/A-2010

PART 7

PARKING METERS

METER VIOLATION

- 40 No person shall park a vehicle or allow a vehicle to remain in a metered space while the violation or time expired indicator shows on the parking meter for such space during the hours and days shown on the meter head or pipe, except on a holiday, or such other day except by resolution of Council.

METER VIOLATION SECOND OFFENCE

- 41 After the issuance of an offence ticket concerning a vehicle for a first violation of Section 40 and, should the vehicle be found in the same metered space after the expiration of the maximum time indicated on the parking meter, or 120 minutes in the case of parking meters providing for 2 hour parking or more, while the violation or time expired indicator shows on the parking meter, a second violation shall be deemed to have occurred.

- 42 For the purposes of Part 7 of this bylaw, a vehicle shall not be deemed to be “parked” by reason only of its standing in a metered space while the violation or time expired indicator shows on the parking meter, if a person is engaged in putting the parking meter into operation.

METER EXEMPTION STICKER

- 43 Sections 40 and 41 shall not apply where a vehicle bearing a card, sticker or permit authorized by the Inspections and Licensing Manager is displayed on the lower center of the windshield of the vehicle is parked in accordance with the restrictions or privileges stated on such card, sticker or permit.
- 43.1¹ Vehicles bearing a valid handicapped placard or license plate issued or approved under the Traffic Safety Act and regulations thereunder are exempt from the required meter payments in a Marked Handicapped Stall.
- 43.2² Sections 40 and 41 do not apply to a vehicle operated by a licensed delivery/courier service occupying a metered space for not more than fifteen (15) consecutive minutes and on which is displayed a valid parking permit in a form duly authorized by the Inspections and Licensing Manager.

UNAUTHORIZED METER EXEMPTION STICKER

- 44 No person shall display on a vehicle a card, sticker or permit purporting to exempt the vehicle from the provisions of Sections 40 and 41 unless the said card, sticker or permit is duly authorized by the Inspections and Licensing Manager.

METERED SPACE REGULATIONS

¹ 3186/A-98, 3186/A-2005, 3186/B-2006, ²3186/B-2006

- 45 Any operator of a vehicle when parking in a metered space shall conform to the following regulations:
- (a) Park within lines: the vehicle shall be parked wholly within the area designated as a metered space by lines or other markings;
 - (b) Angle parking: if the metered space is at an angle to the curb or sidewalk, the operator of any vehicle occupying such space shall park the vehicle at the angle so designated, with the foremost part thereof parked at the curb;
 - (c) Parallel parking: if the metered space is parallel to the curb or sidewalk, the operator of any vehicle occupying such space shall park the vehicle parallel to such curb or sidewalk so that the foremost part or rearmost thereof shall be alongside of and as near to the parking meter for that metered space as practicable;
 - (d) Notwithstanding the provisions of this section, a vehicle, or a combination of a vehicle and attached trailer, may be parallel parked in two adjoining metered spaces parallel to the curb where the required fee is inserted in the meters for each metered space.

INSERTING FEE

- 46 The required fee shall be deposited in the parking meter by the operator of a vehicle as soon as the vehicle is parked in a metered space, and the person inserting the coin or coins shall put the parking meter in operation by turning the handle provided for that purpose except where the meter is automatic. Thereafter the metered space may be lawfully occupied by such vehicle until the violation or time expired indicator shows on the parking meter. Such operator may use the unexpired time remaining on

the meter from its previous use without depositing a coin. The right of occupation of a metered space by a vehicle is subject to the prohibition against parking indicated on any sign attached to the parking meter.

METER FEES

- 47 The fee for parking in any metered space shall be such amount as shown upon the parking meter, and as authorized by Council.

HOODED METERS

- 48 No person shall park a vehicle upon a highway at any metered space where the parking meter has been hooded pursuant to the Use of Streets Bylaw, other than persons to whom such spaces have been leased. Any vehicle found parked in violation of this section may be removed in the same manner as provided for in Section 39(4).

TAXI CABS

- 49 Except as hereinafter provided, a taxi cab shall not occupy a metered space except when taking on or discharging passengers providing such period does not exceed 2 minutes.
- 50 Subject to deposit of the required fee in a parking meter, the operator of a taxi cab may park such vehicle in a metered space regulated by such parking meter whenever:
- (a) the said taxi cab is not for hire; or

(b) the said taxi cab is in use and the meter is running.

51 Notwithstanding anything herein contained, all vehicles owned by or under contract to the City, any emergency vehicles such as ambulances, fire trucks, police or enforcement vehicles, as well as any utilities service including telephone, electrical, natural gas and cable vision services are hereby exempt from Sections 26 and 27 and all of Part 7 of this bylaw when parked in performance of their duties.

PART 7A
TRANSIT TERMINAL

LOITERING WITHIN A TRANSIT TERMINAL

51.1¹ (1) DELETED

(2) ²No person shall enter upon the grounds of the Transit Terminal or parkade outside the normal operating hours of Red Deer Transit. This provision shall not apply to police or emergency services personnel, or to municipal employees or their agents while on official City business.

WALKING WITHIN TRANSIT TERMINAL

(3) ³No person, who is not in a motor vehicle, shall travel in any area of the Transit Terminal or parkade ramp that is meant only for the passage of motor vehicles. This provision shall not apply to police or emergency services personnel, or to municipal employees or their agents while on official City business.

LITTERING

(4) ⁴DELETED

(5) ⁵DELETED

¹ 3186/C-2002, 3186/A-2010

² 3186/A-2010

³ 3186/A-2010

⁴ 3186/A-2010

⁵ 3186/A-2010

ANIMALS WITHIN TRANSIT TERMINAL AREA

- (6) No person shall bring any animal into a Transit Terminal area.

- (7) Section 51.1(6) shall not apply to a registered medical service animal, a police service animal, or any other animal which is specifically authorized by the Transit Manager to be brought into the area.

PART 8**SPECIAL CLASSES OF VEHICLES****ANGLE PARKING OF VEHICLE EXCEEDING 6 METRES**

- 52 No person shall angle park, or load or unload any public service vehicle or commercial vehicle which exceeds 6 metres in overall length upon any highway, except at such locations as have been designated by the City Engineer either by a sign or in writing.

PARKING VEHICLE EXCEEDING 6 METRES NEAR RESIDENCE

- 53 (1)¹ With the exception of a recreation vehicle, no person shall park a vehicle or a vehicle with a trailer attached exceeding 6 metres in length, or a truck tractor unit with or without a semi-trailer or trailer attached, on a highway, in front of, across from or adjacent to residential property.
- (2)² No person shall park an unattached trailer on a highway in front of, across from, or adjacent to residential property.
- (3)³ This section shall not apply to:
- (a) a vehicle being parked on a highway while unloading or loading goods to or from a premises;
 - (b) a utility or other trailer being temporarily used for the purpose of construction, demolition, or landscaping, providing that such utility

¹ 3186/B-98

² 3186/B-98

³ 3186/B-98

or other trailer does not obstruct other users of the highway and is clearly visible and attended at all times.

OCCUPYING RECREATION VEHICLE OR TRAILER WHILE PARKED

54 No person shall occupy any recreation vehicle or holiday trailer as a dwelling or sleeping place at any time while it is parked on a highway.

OVERDIMENSION/OVERWEIGHT PERMITS

- ¹55 (1) No person shall operate a vehicle:
- (a) which exceeds 4.5 m in height, including load, under the bridge located at 60 Street and Gaetz Avenue; or
 - (b) ²Deleted.
- (2) No person may park any vehicle containing an Oversize Load on any street within the City.
- (3) No person shall operate a vehicle which exceeds any of the following dimensions on any road within the City of Red Deer, except upon the High and Wide Load Corridor:
- (a) length – 27.7 m
 - (b) height – 5.4 m
 - (c) width – 4.45 m
 - (d) weight – 90,000 kg

¹ 3186/B-2002, ²3186/C-2011

- (4) No person shall operate a vehicle which exceeds any of the following dimensions on the High and Wide Load Corridor within the City of Red Deer:
- (a) length – 48.7 m
 - (b) height – 8.3 m
 - (c) width – 7.6 m
 - (d) weight – 181,800 kg
- (5) A person may operate an Oversize Vehicle or a vehicle carrying an Oversize Load, provided that the vehicle is operated on the roads permitted under the provisions of Section 55 (3) or Section 55 (4), whichever is applicable, and further provided that:
- (a) the operator is in possession of a permit from the Motor Transport Branch of Alberta Transportation and Utilities;
 - (b) the operator is in possession of a Move Approval permit issued by the City; and
 - (c) the operator operates such Oversize Vehicle or vehicle carrying an Oversize Load within the conditions stipulated on the permits.
- (6) The routing for and permitted hours of operation of the High and Wide Load Corridor for the City are as follows:

Routing

- Taylor Drive, from Highway 11A to Edgar Industrial Drive
- Edgar Industrial Drive, from Taylor Drive to 68 Avenue
- 68 Avenue, from Edgar Industrial Drive to 67 Street

- 67 Street, from 30 Avenue to 68 Avenue
- 30 Avenue, from 55 Street to 67 Street
- 55 Street, from 20 Avenue to 30 Avenue

Hours of Operation

- 4 a.m. to 7 a.m., 7 days a week, with restrictions on Statutory Holidays
(based on availability of manpower)

- (7) No movement of an Oversize Vehicle or a vehicle carrying an Oversize Load shall be allowed within the City without three days prior notice to the City Engineer.
- (8) ¹The fee for a Move Approval permit on the High and Wide Corridor will be assessed at a rate determined by The City annually based upon the average cost to The City for manpower, administrative and equipment costs related to Over Dimension Vehicles or Oversize Load Requests.
- (9) ³The provisions of Section 55(3) and (4) do not apply to a person who has received a Move Approval Permit under the provisions of Section 102.1 and who moves an Oversize Load or Oversize Vehicle in accordance with the terms of such permit.

56² A person who operates an Oversize Vehicle or a vehicle carrying an Oversize Load shall produce to a Peace Officer or a Bylaw Officer on demand a copy of the Permit issued by the Motor Transport Branch of Alberta Transportation and a copy of the Move Approval permit or shall identify the Permit number(s).

¹ 3186/B-2006, ²3186/B-2002, ³3186/C-2011

- 57¹ (1) The City Engineer may issue a Move Approval Permit on receipt of the applicable fee together with an application containing information with respect to the following:
- (a) the name and address of the owner, operator, and driver of the vehicle and their telephone numbers;
 - (b) a description of the Oversize Vehicle or Load containing all pertinent information as to the type, dimensions, and weight of the vehicle and load;
 - (c) the day, date, and hours during which it is proposed that the Oversized Vehicle or Load will travel and the route which it is proposed the vehicle will take;
 - (d) such other information as in the reasonable opinion of the City Engineer is required in order to consider any of the matters in respect of which the Permit may be granted.
- (2) The City Engineer may include in any Move Approval Permit any provisions which are reasonably necessary to ensure the safe passage of the Oversized Vehicle or Oversized Load through the City, including provisions with respect to the following:
- (a) the need for a pilot truck escort;

¹ 3186/B-2002

- (b) special route restrictions due to road closures or construction;
- (c) any unusual restrictions as to the times within which the Oversized Vehicle or Load may travel on City streets;
- (d) bridge and roadway structural capacity; and
- (e) geometric design of intersections and roadways.

VIOLATION OF PERMIT CONDITIONS

58 Any person who:

- (a) fails to obtain a permit as required under this part;
 - (b) contravenes the conditions of any permit issued under this part;
- is guilty of an offence.

WEIGHT LIMITS

59 (1) Notwithstanding that a permit has been issued, no person shall operate a vehicle on a bridge where such vehicle, with or without load, exceeds the weight designated by a sign at or near the bridge as the maximum load permitted on such bridge.

- (2)¹ No vehicles shall be operated on City streets in an overloaded condition and contrary to the axle loadings as cited in the Regulations under the *Traffic Safety Act*.

REFUSING TO STOP FOR PEACE OFFICER

- 60 An operator of a public vehicle or combination of vehicles:
- (a) who fails or refuses to stop and permit the vehicle or combination of vehicles to be inspected by a peace officer; or
 - (b) who fails or refuses, when directed by a peace officer, to permit the weighing of a vehicle or combination of vehicles or to stop the vehicle or combination of vehicles, in a suitable place designated by a peace officer pending removal of excess weight;
- is guilty of an offence.

VEHICLE WITH METAL LUGS

- 61 Unless a permit to do so has been issued by the City Engineer, no person shall operate on a highway a vehicle or trailer having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire or track for such vehicle. This prohibition does not apply to the use of studded tires or tires with chains.

¹ 3186/A-2005

TRUCK ROUTES

¹62 Except as provided in Sections 64, 65, and 66, no person shall operate a Heavy Vehicle upon a highway within the City of Red Deer other than on a highway specified as a Truck Route in Schedule "F" of this Bylaw.

²63 No person shall park a Heavy Vehicle upon a highway within the City of Red Deer other than upon a highway specified as a Truck Route in Schedule "F" of this Bylaw.

EXEMPTIONS

64 Section 63 shall not apply when the heavy vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest truck route:

- (a) when delivering or collecting goods or merchandise to or from the premises of bona fide customers;
- (b) when moving a building for which an over dimension permit has been issued by the City;
- (c) when going to or from non-residential premises for the servicing of the heavy vehicle;
- (d) when pulling a disabled vehicle from a highway prohibited to heavy vehicles.

65 Section 63 shall not apply to:

¹ 3186/B-2002

² 3186/B-2002

- (a) persons driving a public passenger vehicle; or
- (b) persons driving a vehicle that is owned by or under contract to the City, including emergency vehicles such as ambulances, fire trucks, police or enforcement vehicles as well as any public utilities vehicles including telephone, electrical, natural gas and cable vision system while such vehicle is actually engaged in work at locations not designated as a truck route. The onus for establishing that the vehicle is actually in work for the purposed aforesaid is on the person operating or in charge of the vehicle and such proof must be provided upon the demand of a peace officer.

66 Persons that have more than one delivery, collection or service in the same area, may make all deliveries, collections or services within that area before proceeding by the most direct and practical route to the nearest truck route. In this section "area" is defined as one bounded on all sides by a truck route, or separated from other areas of the City by a truck route. Nothing in this section shall be deemed to exempt any person from the provisions of Sections 59 to 61 inclusive of this bylaw.

SHIPPER AND CARRIER LIABLE

67 Where the operation of a public vehicle contravenes any provision of this bylaw, the shipper and the carrier are jointly and severally liable for the contravention unless the shipper or the carrier, as the case may be, proves to the satisfaction of the court that the contravention occurred without his consent, express or implied.

CONTRAVENTION PRIOR TO CERTIFICATE

- 68 The granting of a certificate or permit for any operation of a public vehicle is not a defense with respect to any contravention in the operation of such vehicle which occurred prior to the granting of the certificate or permit.

DOCUMENT AS EVIDENCE

- 69 Every document purporting to be signed by the City Engineer shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

CERTIFICATE UNDER *WEIGHTS AND MEASURES ACT* (CANADA)

- 70 In a prosecution under this bylaw or any order made under this bylaw, a certificate purporting to be issued and signed by an inspector under the *Weights and Measures Act* (Canada) and bearing a date not more than one year either before or after the date of the offence charged, shall be admitted in evidence as prima facie proof of the facts stated in the certificate without proof of the signature or official character of the person signing the certificate.

CERTIFICATE OF PEACE OFFICER

71 In a prosecution under this bylaw, a certificate purportedly signed by a peace officer stating;

- (a) that the weight was measured on a portable scale; and
- (b)
 - (i) the gross weight of a public vehicle or a combination of public vehicles and the load being carried thereby; or
 - (ii) the gross axle weight transferred to the road through any point or points of contact of the vehicle or combination of vehicles with the road; or
 - (iii) that the operator of the vehicle or combination of vehicles accepted the weight determined as being accurate;

shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

BILLS OF LADING AS EVIDENCE

72 In a prosecution under this bylaw, the bills of lading produced to a peace officer by the operator of a public vehicle, or certified true copies thereof, shall be admitted in evidence as prima facie proof of the origin and destination of the trip and description of the load carried, without proof of the signature or official character of the person signing the bills of lading or certifying the copies.

OPERATING RULES FOR CITY BUSES

- 73 (1) Notwithstanding any other provisions of this bylaw, where a bus of the Red Deer Transit System is stopped at or has approached within 9 metres of an intersection and signalled that the driver intends to turn right at such intersection, then the driver of a vehicle travelling in the same direction shall not overtake or pass to the right of such bus.
- (2) Every bus of the Red Deer Transit System shall carry a notice on the rear, near the right turning signal reading “do not pass on right when signal on” or similar words.
- 73.1¹ With the exception of police vehicles and City of Red Deer vehicles, no person shall operate a vehicle on a highway or other place within the City of Red Deer where the operation of vehicles is restricted to Red Deer Transit bus use only.

OPERATING RULES FOR E-SCOOTERS

- 73.2 No person shall operate an E-Scooter on or across any highway except on:
- (a) a designated bicycle lane;
 - (b) sidewalk or boulevard;
 - (c) trail;
 - (d) crosswalk; or
 - (e) lane.

¹ 3186/A-2005

PART 9**PARADES AND PROCESSIONS****PERMIT NECESSARY**

- ¹⁷⁴ (1) No person or organization shall hold, organize, or take part in any Special Event on a highway without first obtaining a Special Even permit from the City Manager.
- (2)² (a) Notwithstanding anything in this bylaw, a procession of vehicles within the City that is part of a military or funeral procession does not require a permit, but must comply with the provisions of the *Traffic Safety Act* and regulations thereunder.
- (b) Vehicles in a funeral procession may enter an intersection without stopping provided they comply with the provisions of the *Traffic Safety Act* and regulations thereunder.
- (3) Every participant in a Special Event and the organization and leaders thereof shall be guilty of an offence for each violation of Section 74 (1).
- ³⁷⁵ (1) Any person desiring to hold a Special Event on City property or a highway within the City shall apply in writing to the City Manager at least 4 weeks prior to the proposed date of the event. The application shall include thee following information:

¹ 3186/B-2001

² 3186/A-2005

³ 3186/B-2001

47

Bylaw No. 3186/97

- (a) the name, address and telephone number of the applicant and, if the applicant is an organization, the names, addresses and occupations of the executive thereof;
 - (b) a signed undertaking from the person who will be in control of the event, agreeing to be responsible for the good order and conduct thereof;
 - (c) the nature and object of the Special Event;
 - (d) the date and time during which the Special Event is proposed to be held;
 - (e) the intended route or area proposed to be covered by the Special Event;
 - (f) the approximate number of people and/or vehicles anticipated to take part in the event;
 - (g) any other information required by the City Manager.
- (2) Where an event requires the partial or complete closure of a road or other public area, then, an applicant must pay all costs incurred by the City in connection with the event including advertising, signage barricading and staff time in respect of road closure and traffic control measures.

- 176 (1) On receipt of a completed application the City Manager shall issue a Special Event permit unless, in the reasonable opinion of the City Manager:
- (a) there are grounds to believe that the event will substantially and unreasonably interfere with the right of members of the public to use City roads for the free passage of persons and vehicles; or
 - (b) the event constitutes a danger to the health and safety of the public or to the security of property.
- (2) The City Manager may add conditions to a Special Event Permit which are reasonably necessary to ensure the safety of the public, protection of property and the orderly conduct of the event. Such conditions may include a requirement for the provision of liability insurance.
- 277 Nothing in Sections 15 or 16 shall be construed as prohibiting the assembly of persons for the purpose of watching a Special Event duly authorized by the City Manager.

¹ 3186/B-2001

² 3186/B-2001

PART 10
MISCELLANEOUS

- 78 No person shall operate a heavy vehicle on or across any sidewalk except at a curb cut or approved crossing without first planking the sidewalk to ensure that such sidewalk will not be damaged.
- 79 (1) No person shall be entitled to obtain vehicular access to a lot or parcel of land from any highway at a point not approved by the City Engineer in his sole discretion and subject to such conditions as the City Engineer may impose.
- (2) The City Engineer may refuse permission to any person applying for access across a sidewalk or boulevard if, in his discretion, local conditions do not justify such access.
- 80 (1)¹ Any person being in or upon any City bus or Transit Terminal Area or parkade owned or operated by the City shall observe and obey any rules, regulations, or orders made or approved by Council for and in respect thereof.
- (2)² Any peace officer, operator, or other person from time to time in charge of a City bus, Transit Terminal, or parkade may evict there from any person breaching the rules, regulations or orders, using such force as is reasonably necessary.

¹ 3186/C-2002, 3186/A-2010, ² 3186/C-2002, 3186/A-2010

PLACEMENT OF SNOW ON ROADWAY

- 81 (1) No person shall place, or cause to be placed, upon any roadway any snow, ice, dirt or other obstruction, other than snow from the immediately adjacent sidewalk.
- (2) Any person who contravenes Section 81(1) shall remove any such snow, ice, dirt, or obstruction from the roadway within 24 hours of the time that such snow, ice, dirt, or obstruction was placed thereon.
- (3) The City may after the expiry of the 24 hours aforesaid, or if deemed necessary at any time, remove and clear away the snow, ice, dirt, or obstruction required to be removed by Section 81(2).
- (4) The person who has placed, caused or allowed to be placed the snow, ice, dirt, or obstruction contrary to Section 81(1), shall pay to the City on demand all costs of removal.
- (5) No employee of the City shall be liable for contravention of Section 81(1) when acting in the performance of his duties.

SNOW REMOVAL FROM SIDEWALKS

- 82¹ (1) All persons owning premises in the following areas of the City shall be responsible for the removal and clearing away of snow, ice, dirt and other obstructions from the sidewalk in any highway adjoining such premises within 48 hours of the time that such snow, ice, dirt or obstruction was deposited thereon;

¹ 3186/B-99, 3186/B-2006

- (a) Land zoned Commercial C1, C1A, C2A, C2B, C3 or C4 under the City's Land Use Bylaw;
 - (b) Land zoned industrial I1A/BSR under the City's Land Use Bylaw;
 - (c) Land zoned residential R1, R1A, R1N, R2, R3, or R4 under the City's Land Use Bylaw, and
 - (d) Land used for schools.
- (2) The City may, after the termination of the 48 hours aforesaid, remove and clear away all snow, dirt, and other obstruction required to be removed by Section 82(1).
- (3)¹ The owner shall make payment on demand to the City of all costs of removal under Section 82 (2).
- 83 No person shall place or shall cause, suffer, permit, or allow to be placed or maintained, at any location in the City, a light, sign, or any object that emits or reflects light in such manner so as to distract, or interfere with the vision of, persons operating vehicles on any highway in the City.
- 84 No person operating premises for the sale of new or used vehicles or for washing vehicles shall permit or allow water, mud, or any material washed from a vehicle to flow or be deposited upon a highway.
- 85 No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken.

¹ 3186/B-2006

- 86 No person shall place any goods, wares, merchandise or other articles of any kind upon a highway or shall expose any goods, wares, or merchandise, or other articles outside any shop, warehouse or building which shall project over any part of the highway unless a license for such use is first obtained from the City, but the provisions of this section does not prohibit the moderate use of a portion of a sidewalk for a reasonable time during the taking in, or delivering of, goods, wares, or merchandise.
- 87 No person shall allow himself to be pulled by a vehicle while he is on a sled, toboggan, skateboard, skis, or other conveyance.

ANIMAL TRAFFIC

- 88 No person shall permit any livestock, horse drawn vehicle or sleigh to stand or be upon any highway whether attended or unattended, so as to obstruct traffic thereon.
- 89 No person shall lead, ride, or drive a horse or other livestock on any City property other than on City roadways, except as provided in other City bylaws. This section shall not apply to those lands known as the Exhibition Grounds.

ROADWAY/HIGHWAY REPAIRS

- 90 No person shall damage any roadway or highway or remove any earth, gravel, concrete, pavement, or other roadway or highway appurtenance or

make any excavation within or under any roadway or highway within the City without having first obtained a permit from the City Engineer.

OBSTRUCTIONS

- 91 No person shall build any fence, house, building, or structure of any kind, or part thereof, over the property line of any highway after the same has been duly established by law, registered survey plan, or resolution of Council, or shall obstruct in any way the highways within the City except as specifically permitted for in this bylaw or except in accordance with any contract that may be entered into between the City and that person.
- 92 (1) No person shall place, pile or store any material or equipment on City property without first applying for and obtaining a permit for such purpose from the City Engineer under the Use of Streets Bylaw.
- (2) Any person placing or causing to be placed, any dirt, gravel, concrete or any such obstruction on City property without a permit shall remove or cause the removal thereof as soon as reasonably possible and in any event no later than 24 hours after notification to do so by the City Engineer. After 24 hours or such lesser time as specified by the City Engineer, the City may remove the obstruction, perform all necessary repairs and charge the costs thereof to the person causing the obstruction.

PLACEMENT OF SALT ON SIDEWALKS

- 93 No person shall sprinkle, spread, or place any salt on a sidewalk, or on a roadway, unless with the permission, or under the direction, of the City Engineer.

- 94 No person shall drain the radiator or any other fluid of a vehicle so that the contents thereof fall upon or flow to any highway.

¹BOULEVARD DEVELOPMENT/MAINTENANCE

- ²95 An owner of private property shall ensure that trees or shrubs growing on his property, and on adjacent boulevards between his property line and the curb, shall be trimmed so that no branches project over a sidewalk at an elevation of less than 225 cm (7.5 ft.) or over a roadway or alley at an elevation of less than 412 cm (13.5 ft.).

- ³96 Except for trimming required under Section 95, no person shall remove, pollard, destroy, or injure any tree that is planted or growing on a boulevard planting strip or on any City lands adjacent to any street without prior written permission from the Recreation Parks & Culture Manager. Where such permission is granted, the person requesting such permission shall be responsible for all costs associated with the removal, as well as for the value of the tree as determined by the Recreation Parks & Culture Manager.

- 97 The Parks Manager shall not grant a request for the removal of such a tree unless, in the opinion of the Parks Manager, there are exceptional circumstances which warrant such removal. If a request for removal for a tree is granted, the owner shall be responsible for the cost of such removal plus the value of the tree as approved by the Parks Manager.

RECOVERY OF COSTS

¹ 3186/B-2002

² 3186/B-2002

³ 3186/B-2002

- 98 (1) The City Engineer may require any person concerned to comply with and remedy a breach of the provisions of Sections 90 through 97. If a person fails to comply with such notice, the City Engineer may direct employees or agents of the City to carry out the work and to enter upon private property, if necessary, for such purpose.
- (2) All costs incurred by the City to remedy such default shall be paid on demand to the City by the person in default.

OFF-HIGHWAY VEHICLES

- 99 (1) A peace officer, City employee or agent of the City, or a park control officer may operate an off-highway vehicle on highways or lands owned by the City where such operation is required in connection with the patrol or maintenance duties of such person.
- (2) For the purpose of this section, "off-highway vehicle" shall have the meaning given to it in the *Off-Highway Vehicle Act* and "Park Control Officer" shall have the meaning given to it in the Parks and Public Facilities Bylaw.

OPERATION OF SCHOOL BUSES

- 100 No person shall activate the flashing red lights or stop arms of a school bus on any highway where such highway has been constructed with curbs and gutters.

DANGEROUS GOODS

- 101 No person shall dump or spill, or suffer, allow or permit the dumping or spilling of any dangerous goods for which placards are required by the *Transportation of Dangerous Goods Control Act* and regulations made thereon or any similar legislation on any City lands or highway.

PART 11
AUTHORITY OF THE CITY MANAGER

- 102 The City Manager is hereby authorized to designate:
- (a) any highway for through traffic purposes;
 - (b) the location of cross-walks upon highways;
 - (c) any intersection, highway, or place on a highway, including a place where a railway right-of-way crosses a highway, as a place where U-turns are prohibited;
 - (d) any highway as one which is closed temporarily in whole or in part to traffic;
 - (e) any areas as one in which parking privileges are temporarily suspended;
 - (f) any highway as one to be divided into traffic lanes of such number as the City Manager considers proper;
 - (g)¹ the location of school zones and playground zones by the placement of traffic control devices;
 - (h) any boulevard upon which parking is permitted;
 - (i)² loading or unloading zones;

¹ 3186/A-2016

² 3186/A-2000

- (j) the location of bus stops;
- (k) the distance from any intersection within which no parking is permitted;
- (l) portions of highways where parking is limited to a period of time;
- (m) portions of highway where stopping is prohibited entirely, or for a specified period of time;
- (n) City employee parking areas wherein parking for employees is allowed only between 7:30 o'clock in the forenoon and 5:00 o'clock in the afternoon from Monday to Friday Inclusive;
- (o) the location of metered zones, meter locations, and metered spaces;
- (p) areas for angle parking and parallel parking;
- (q) the maximum load permitted on any bridge;
- (r) parking spaces upon a highway for the use of any taxi cab business holding a valid and subsisting taxi cab license issued by the City, as a taxi stand;
- (s)¹ parking spaces designated for Disabled Parking.

¹ 3186/A-2000

- 102.1 (a) ¹The City Manager may authorize the City Engineer to issue a Move Approval Permit in special cases for Oversize Vehicles or for vehicles carrying an Oversize Load which are in excess of the maximum dimensions set out in Section 55(4), or which allow a move on routes other than the High and Wide Corridor, or which allow a move at times other than those specified in Section 55(6), provided that the City Manager is of the opinion that such move may be made safely and without damage to municipal infrastructure.
- (b) The City Manager may authorize the City Engineer to specify in a Move Approval Permit issued under this section any or all of the following:
- (i) the maximum allowable dimensions of the Oversize Vehicles or Oversize Load;
 - (ii) the times during which the move may be made;
 - (iii) the route over which the move is permitted to travel;
 - (iv) any special safety considerations which the applicant must employ;
 - (v) the amount of any fee which the applicant must pay to the City where there is no applicable fee provided for pursuant to Section 55(8), provided that such fee must be reasonable fee reflecting the cost to the City for manpower, administrative and equipment costs relating to the permitted move.
- (c) In the exercise of the discretion granted under this section, the City Manager shall ensure that appropriate measures are imposed to ensure

¹ 3186/C-2011

public safety and to ensure that there is no damage to municipal infrastructure.

- (d) All of the provisions of the Traffic Bylaw related to the movement of Oversize Loads and Oversize Vehicles apply to moves permitted under the authority of this section, except as modified hereunder.
- 103 (1) The Council hereby delegates the power to direct where traffic control devices are to be installed or removed according to the table set out in Schedule "K" of this bylaw.
- (2) The City Manager shall cause a record of the locations of all erected signs to be kept, which shall be open to public inspection during the hours that City Hall is open for business.
- 104 The City Manager may:
- (a) issue a card or sticker exempting a vehicle from the provisions of Sections 40 and 41 of this bylaw, which said card, sticker or permit shall state the parking restrictions applicable to the said vehicles;
 - (b) temporarily prohibit parking at any parking meter;
 - (c) prohibit or restrict the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway when the City Manager considers such prohibition or restriction is in the public interest and the better regulation of traffic;
 - (d)¹ engage members of the Canadian Corps of Commissionaires to issue and place on vehicles parked in contravention of the *Traffic*

¹ 3186/A-2005

Safety Act, and amendments thereto or this bylaw, the offence ticket in the form approved, from time to time, by the Chief Bylaw Enforcement Officer of the City;

- (e) specify the types of vehicles which are prohibited from parking on any City owned parking lot;
- (f) approve the form and content of all signs and traffic control devices utilized by the City and by the owners of private land regulated under the provisions of this bylaw.

- 1105 (1) The City Manager may issue permits for Special Events. These permits will contain such directions to the applicant as the City Manager considers necessary to prevent unnecessary and unreasonable obstruction of highway or to prevent a breach of the peace.
- (2) The City Manager may direct the temporary closure of highways, parking lots, or any other City property during a Special Event where, in the sole discretion of the City Manager, such temporary closure is desirable for the public safety.
- (3) If the City Manager refuses to issue a Special Event Permit, the applicant may appeal to Council. Council may direct the issuance of such permit subject to the provisions of this bylaw, and such other conditions as it deems necessary.

¹ 3186/B-2001

PART 12

PENALTIES AND POWERS OF PEACE OFFICERS

REMOVAL AND IMPOUNDMENT OF VEHICLES

- 106 (1) A peace officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- (a) operated or parked in contravention of any provision of this bylaw;
or
 - (b) where emergency conditions may require such removal from a highway.
- (2) Such vehicle may be removed to a place designated by the City Manager, where it will remain until claimed by the owner thereof or his agent.
- (3) No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The City is not responsible for impounding, towing or removal charges.

DURING SNOW REMOVAL OR STREET CLEANING

- 107 Notwithstanding anything herein contained, in conjunction with snow removal, street cleaning or road repair operations carried on by the City employees or contractors, the City may tow or remove vehicles from the street being cleaned, cleared or repaired and, without impounding them,

may remove them to an adjacent street. In the case of removal of vehicles from streets within the downtown area (the area bounded on the north by 55th Street, on the south by 43rd Street, on the east by 47th Avenue, and on the west by 52 Avenue), the vehicles may be towed to the parking lot located on 43rd Street south of the Recreation Center and north of the Red Deer Arena.

- 108 Where a vehicle is driven, used, parked or left in contravention of any provision of this bylaw, the owner of the vehicle is liable for the contravention and shall make payment of the penalty prescribed herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.

PROSECUTION OF OFFENCES

- 109 Any person who contravenes any provisions or requirements of this bylaw is guilty of an offence and is liable for and subject to the penalties herein provided.
- 110 The penalties hereinafter specified in Schedule “L” aforesaid are hereby established for contravention of the sections of this bylaw listed in Schedule “L”.
- 110.1¹ Notwithstanding the penalties specified in Schedule “L” or Section 113 herein, where a vehicle or trailer is towed in connection with a contravention of this bylaw, without impounding it, the penalty for the contravention shall be increased by an additional \$70.00.”

¹ 3186/B-2010

- 111 Where a peace officer has reasonable grounds to believe that a person has contravened any provision of this bylaw listed in Schedule “L” annexed hereto and made part of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence.
- 112 Service of an offence ticket shall be sufficient if it is:
- (a) personally served; or
 - (b) attached to the vehicle in respect of which an offence is alleged to have been committed; or
 - (c) if mailed to the address of the registered owner of the vehicle or to the person in possession of the said vehicle.
- 112.1 (1) If an e-bike or E-Scooter is involved in an offence under the bylaw, the owner of that e-bike or E-Scooter, is guilty of that offence.
- (2) For section 112.1(1), owner includes any person or corporation issued a business licence for e-bike or E-Scooter operations.
- (3) Section 112.1(1) does not apply if the owner of the e-bike or E-Scooter satisfies the court, at the time that the vehicle was involved in the offence, it was not operated or parked with the owner’s express or implied consent.

GENERAL

113¹ Any person who contravenes any of the provisions of this bylaw for which no penalty has been specified, shall be liable on summary conviction to a fine not exceeding \$500.00, exclusive of costs, and in the case of non-payment of the penalty and costs imposed by the court, and subject to Section 160 of the *Traffic Safety Act*, to imprisonment for a period not exceeding 60 days.

PART 13
TRANSITIONAL PROVISIONS

114 Notwithstanding the repeal of Bylaw 2800/82, the provisions of Bylaw 2800/82 shall remain in full force and effect for the purposes of any traffic tags, offence tickets, or prosecutions pending or entered for contravention of Bylaw 2800/82 prior to third reading of this bylaw

115 All Commissioners Orders or City Manager's Orders issued under the provisions of Bylaw 2800/82 shall for all purposes be deemed to be issued by the City Manager under this bylaw and shall remain in full force and effect, unless expired by their terms.

116 Bylaw No. 2800/82 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 15 day of December A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this 15 day of December A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this 15 day of December A.D. 1997

AND SIGNED BY THE MAYOR AND CITY CLERK this 15 day of December A.D. 1997

¹ 3186/A-2005

"G. D. Surkan"

MAYOR

"Kelly Kloss"

CITY CLERK

Appendix L

Letters of Support

Appendix L: Letters of Support

City of Red Deer
Via email to Kelly Andres

February 8th, 2021



Dear Kelly

On behalf of the Downtown Business Association (DBA) Board of Directors, I am writing with reference to the possibility of electric scooters in the downtown core.

At the January DBA board meeting, scooters were discussed at length and the following motion was supported: -

'Motion for the Executive Director to write a letter to City of Red Deer requesting to be included in any discussions around the viability of scooters in the downtown core'.

I am aware that scooters are already on The City's radar and they are being investigated by Inspections and Licensing. Scooters are of particular interest to the Board of Directors due to the economic benefit they stand to bring, alongside the tourism factor, and ability to counteract parking issues that specifically pertaining to complaints regarding not being able to park outside of preferred businesses.

Therefore, before any decision is made, the DBA board would like the opportunity to be involved in any review taking place and the decision-making process.

In the meantime, if there is anything specific you wish The Board to discuss, please advise.

Thanks in advance.

Yours sincerely

A handwritten signature in black ink, appearing to read "Sharon".



120, 5009 50 Avenue, Red Deer, AB T4N 4B2

403.340.8696
www.downtownreddeer.com



April 12, 2021
The City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

Attention: Amy Fengstad | Parking & Licensing Supervisor
Inspections & Licensing Department

Re: E-Scooter Pilot – City of Red Deer

Amy,

My name is Rene Rondeau, the Executive Director from Tourism Red Deer.

I wanted to provide some of my feedback on the possibility of E-Scooters here in Red Deer.

I fielded the call from one of the prospected companies who were interested in having operations here in our city. After extensive conversations with Jonathan from Lime in Seattle, I have learned a great deal of information about the E-Scooter program.

I believe that an E-Scooter pilot project would be a great tool to not only encourage locals but visitors alike to explore our great trails that start behind our Tourism Red Deer offices on Highway 2. Having E-Scooters available in our building would encourage short- or long-term visitors to take a break from highway travel and to get a taste of our amazing trails network. It also allows those staying in hotels to venture out in the nice weather on a new method of travel on trails or sidewalks.

For locals, it's a chance to get out and move forward on our trails in a different way. We also can create and offer new experiences for those visiting friends and family. This pilot project allows us to follow our mandate by providing new experience development for our community and our visitors.

I truly feel this would be a great step in the right direction in offering some new to our locals and visitors.

I do understand the issues that could arise, like vandalized or stolen E-scooters, but I feel that if they are in the right locations the risk would be lessened. Some locations, I feel we would see this working would be here at Tourism Red Deer/Alberta Sports Hall of Fame building, at participating hotels, some Downtown Red Deer locations, Bower Ponds, and other locations that see people on the move.

If you have any further questions, I would be interested in answering them for you.

Thanks.

Rene Rondeau
Executive Director – Tourism Red Deer
403-350-0962 – rene@tourismreddeer.com

☎ 403.346.0180 | 📠 403.346.5081
📍 101 - 4200 HWY 2, Red Deer AB T4N 1E3

www.visitreddeer.com



May 10, 2021

Land Use Bylaw Amendment 3357/J-2021

Minor Amendments

Prepared by: Erin Stuart, Inspections & Licensing Manager
Department: Inspections & Licensing

Report Summary & Recommendation

City Administration has initiated this suite of minor *Land Use Bylaw* (LUB) amendments to provide City staff and the public with clearer interpretation and implementation of the LUB, while reducing red tape.

Administration recommends Council give first reading of *Land Use Bylaw* No. 3357/J-2021.

Proposed Resolutions

That Bylaw 3557/J-2021 be read a first time.

If first reading is given, this bylaw will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, June 7, 2021.

Rationale for Recommendation

- 1. The proposed amendments reduce red tape for customers.** The exemptions eliminate the need in specific cases to obtain a Development Permit, as well as the associated costs.
- 2. Compliance with City and Provincial policy framework.** The proposed amendments align with the Municipal Government Act, LUB and the Municipal Development Plan.
- 3. Clarification of practice for the public and Administration.** The changes will provide clarity to City staff and the public.

Discussion

The amendments proposed under Bylaw 3357/J-2021 are the accumulation of a number of minor bylaw changes that have been requested by Administration or raised by the public in order to improve the clarity and application of the LUB. Please refer to Appendix B for the details for each of these amendments. A summary of the amendments proposed:



1. Exemption of temporary tents from requiring a Development Permit if erected for seven days or less.
2. Exemption for changes of use where the uses are similar and there is no increase to the intensity of the land or building.
3. Modifying the notification for home occupations from a sign on site to a mail out to adjacent property owners within 50 metres.
4. Removal of the 300 metre setback for a Daycare from a Cannabis Retail Sales location, where the Cannabis Retail Sales location is approved first.
5. Clarifying the Mature Neighbourhood Overlay District applies to land used for residential purposes and that those regulations do not apply to the Parkvale neighbourhood.
6. Clarifying the setback from the Wastewater Treatment Plant is 300m from the Site and not just the plant itself.

Administration acknowledges previous Council decisions related to separation distances from Cannabis Retail Sales uses.

The separation distance regulation has resulted in limited opportunities for Day Care Facilities allowed in the C1 and C4 Districts. Given recent interest by Day Care owners to locate in proximity to existing Cannabis Retail Sales locations, Administration is proposing amendments that do not increase the number of opportunities for Cannabis Retail Sales but allow for increased opportunities for Day Care applications (Appendix C).

This amendment may, as a result of increased locations of Day Care Facilities, decrease the number of potential locations for Cannabis Retail Sales.

Summary

Administration recommends Council give first reading of *Land Use Bylaw No. 3557/J-2021* to support the reduction of red tape for customers, as well as providing necessary clarity to City Administration and customers.

Following first reading, the Public Hearing will be held on June 7, 2021, with second and third readings considered following that hearing.



Appendices

- Appendix A: Proposed Amendment *Land Use Bylaw* No. 3557/J-2021
- Appendix B: Minor Amendment Details – Existing Regulations and Proposed Changes
- Appendix C: Letter of Support from Dance Magic re: Removal of Separation Distance from CRS

Bylaw 3357/J-2021 Appendix B Omnibus Amendment Details – Existing Regulations and Proposed Changes

Exemption for Development Permits

Bylaw Ref #	Existing Regulations	Proposed Changes	Rationale
1.	(d) Temporary Buildings erected in connection with the construction, marketing or alteration of an approved Development or Temporary Buildings erected pursuant to an approved Special Event Permit as identified on such Special Event Permit;	(d) Temporary Buildings erected in connection with the construction, marketing or alteration of an approved Development or Temporary Buildings erected pursuant to an approved Special Event Permit as identified on such Special Event Permit or Temporary Buildings erected for 7 days or less;	A Temporary Building erected for less than 7 days has little to no impact on a Site. This will reduce red tape for customers.
2.	1.2 General Operative Clauses None, new additional section	1.2 General Operative Clauses (2)(u) a change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District, where the uses are similar and where there is no increase in the intensity of use of land or a Building;	This will reduce red tape for businesses where the use is permitted and would not result in an intensification of the land or building. Generally these are rubber stamp approvals.

Home Occupation Regulations

Bylaw Ref #	Existing Regulations	Proposed Changes	Rationale
3.	4.7(8) Home Occupations (e) Where a home occupation is a discretionary use, the Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five	4.7(8) Home Occupations (e) Where a home occupation is a discretionary use, the Development Officer shall notify landowners located within 50 metres of the Boundary of the Site on which the proposed Home Occupation is to be located and request their comments.	This aligns with current practice during the COVID 19 pandemic and aligns with other notification standards. It saves the applicant time in picking up and placing a sign.

	consecutive days prior to the application being considered by the Commission.		
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Cannabis Retail Sales Regulations

Bylaw Ref #	Existing Regulations	Proposed Changes	Rationale
4.	<p>5.7(12)(r)The following separation distances, which shall not be varied by the Development Authority, measured in a straight line from the closest points, to/from the following specified uses are to be met, regardless of which use is approved first:</p> <ul style="list-style-type: none"> (i) 300 metres from the property boundary of all schools operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, and Conseil Scolaire Centre-Nord, to the occupied floor area of a Cannabis Retail Sales; (ii) 300 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use; (iii) 300 metres from the occupied floor area of a Day Care Facility to the occupied floor area of a Cannabis Retail Sales use; 	<p>5.7(12)(r)The following separation distances, measured in a straight line from the closest points, must be maintained between the following specified uses, except as permitted in this section:</p> <ul style="list-style-type: none"> (i) 300 metres from the property boundary of all schools operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, and Conseil Scolaire Centre-Nord to the occupied floor area of a Cannabis Retail Sales; (ii) 300 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use; (iii) 300 metres from the occupied floor area of a Cannabis Retail Sales use to the occupied floor area of a Day Care Facility, except when a Day Care Facility applies for a 	<p>Removal of the 300 metres separation distance where a Day Care Facility applies following approval of the CRS location allows for consideration by the Day Care owner. Increases the number of potential locations for Day Care Facilities.</p>

	<p>(iv) 300 metres from the property boundary of an indoor City – operated recreation facility, to the occupied floor area of a Cannabis Retail Sales; and</p> <p>(v) 300 metres from the property boundary of an “approved hospital” as defined by the Hospitals Act, namely the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre, to the occupied floor area of a Cannabis Retail Sales.</p>	<p>development permit within 300 meters of an existing Cannabis Retail Sales use;</p> <p>(iv) 300 metres from the property boundary of an indoor City-operated recreation facility to the occupied floor area of a Cannabis Retail Sales; and</p> <p>(v) 300 metres from the property boundary of an “approved hospital” as defined by the Hospitals Act, namely the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre, to the occupied floor area of a Cannabis Retail Sales.</p>	
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Mature Neighbourhood Overlay District only applicable in Residential Districts

Bylaw Ref #	Existing Regulations	Proposed Changes	Rationale
5.	<p>7.14 Mature Neighbourhood Overlay District (I) General Purpose The general purpose of this District is to ensure Redevelopment that occurs in mature neighbourhoods is compatible with existing Development within the Immediate Street Context.</p>	<p>7.14 Mature Neighbourhood Overlay District (I) General Purpose The general purpose of this District is to ensure Redevelopment that occurs in Residential Districts in mature neighbourhoods is compatible with existing residential Development within the Immediate Street Context.</p>	<p>This clarifies that the overlay only applies to land used for residential purposes.</p>

<p>6.</p>	<p>(3) Application (a) The regulations in this District apply to all Redevelopment applications located in the Mature Neighbourhood Overlay District (shown on the Land Use Constraints Maps J15, J16, J17, J19, J20, K15, K16, K17, K18, K19, K20, K21, L13, L14, L16, L17, L18, L19, L20, L21, M10, M11, M12, M13, M15, M16, M17, M18, M19, M20, N10, N11, N12, N13, N14, N15, N16, N17, N18, O12, O13, O14, O15, O16, O17, O18, P11, P12, P13, P14, P15, Q11, Q12, Q13, Q14, Q15, R14, R15, S15).</p>	<p>(3) Application (a) The regulations in this District apply to all Redevelopment applications within Residential Districts located in the Mature Neighbourhood Overlay District (shown on the Land Use Constraints Maps J15, J16, J17, J19, J20, K15, K16, K17, K18, K19, K20, K21, L13, L14, L16, L17, L18, L19, L20, L21, M10, M11, M12, M13, M15, M16, M17, M18, M19, M20, N10, N11, N12, N13, N14, N15, N16, N17, N18, O12, O13, O14, O15, O16, O17, O18, P11, P12, P13, P14, P15, Q11, Q12, Q13, Q14, Q15, R14, R15, S15).</p>	<p>This clarifies that the overlay only applies to land used for residential purposes.</p>
<p>7.</p>	<p>(3) Application (d) Where the regulations in this section contradict or will not serve to achieve the regulations contained within Section 7.7 Mature Neighbourhood Parkvale Overlay District, Section 7.7 Mature Neighbourhood Parkvale Overlay District regulations shall prevail.</p>	<p>(3) Application (d) DELETED</p>	<p>Parkvale does not belong within the Mature Neighbourhood Overlay District therefore the regulations do not apply.</p>

Schedule A - Maps

Bylaw Ref #	Existing Regulations	Proposed Changes	Rationale
<p>8.</p>	<p>Wastewater Treatment Plant setback constraint is shown as the plant site only.</p>	<p>Wastewater Treatment Plant constraint setback to be shown as required under the Subdivision and</p>	<p>Clerical update to be shown correctly.</p>

		Development Regulations, which is a 300 m radius around the Site.	
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BYLAW NO. 3357/J-2021

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3357/2006 is hereby amended as follows:

1. Section 1.2 General Operative Clauses, Subsection 2, is amended by adding the following under Subsection (d) at the end:

(d)... or Temporary Buildings erected for 7 days or less;

2. Section 1.2 General Operative Clauses, Subsection 2, is amended by adding the following new Subsection:

(u) a change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District, where the uses are similar and where there is no increase in the intensity of use of land or a Building;

3. Section 4.7(8) Home Occupations, is amended by deleting Subsection (e) and replacing it with the following:

(e) Where a Home Occupation is a discretionary use, the Development Officer shall notify landowners located within 50 metres of the Boundary of the Site on which the proposed Home Occupation is to be located and request their comments.

4. Section 5.7(12)(r) Cannabis Retail Sales Development Standards is amended by deleting it in its entirety and replacing it with the following:

(r) The following separation distances, measured in a straight line from the closest points, must be maintained between the following specified uses, except as permitted in this section:

(i) 300 metres from the property boundary of all schools operated by the Red Deer Public School District, Red Deer Regional Catholic Schools, and Conseil Scolaire Centre-Nord to the occupied floor area of a Cannabis Retail Sales;

(ii) 300 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use;

(iii) 300 metres from the occupied floor area of a Cannabis Retail Sales use to the occupied floor area of a Day Care Facility, except when a Day Care Facility applies for a development permit within 300 meters of an existing Cannabis Retail Sales use;

(iv) 300 metres from the property boundary of an indoor City-operated recreation facility to the occupied floor area of a Cannabis Retail Sales; and

(v) 300 metres from the property boundary of an “approved hospital” as defined by the Hospitals Act, namely the Red Deer Regional Hospital Centre and the Central Alberta Cancer Centre, to the occupied floor area of a Cannabis Retail Sales.

5. Section 7.14 Mature Neighbourhood Overlay District, Subsection 1, is amended by adding the words “Residential Districts in” before mature neighbourhoods and the word “residential” before Development.
6. Section 7.14 Mature Neighbourhood Overlay District, Subsection 3(a), is amended by adding the words “within Residential Districts” before located in.
7. Section 7.14 Mature Neighbourhood Overlay District, Subsection 3(d), is amended by deleting it in its entirety.
8. The lands identified as “Wastewater Treatment Plant Setback” which are shown crosshatched on the Land Use District Map 8/2021 (“Map 8/2021”), attached as Schedule “A” and forming part of this Bylaw, are hereby made subject to the regulations in Section 2.24 Applications Within Landfill/Wastewater Treatment Plant Setback Areas.
9. The “Land Use District Maps M21, N20, N21, N22, O20, O21, and O22” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Map 8/2021.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of , 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of , 2021.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , 2021.

MAYOR

CITY CLERK



RedDeerDanceMagic.com RedDeerMusicLessons.com ArtsInMotionPreschool.com
 #200 - 6731 52 Ave, Red Deer Alberta - T4N 4K8 * 403.347.9101

March 29th, 2021

To Whom It May Concern;

I am writing this letter to support your review in the Land Use Bylaw as it goes to council for review on May 10th, 2021. The current Bylaw addresses the firm restrictions on operating a Daycare Centre within 300 meters of a Cannabis Retailer. I hope to provide you with information regarding our specific land use request for a Daycare Centre that would be located within 270 meters of a Cannabis Retailer.

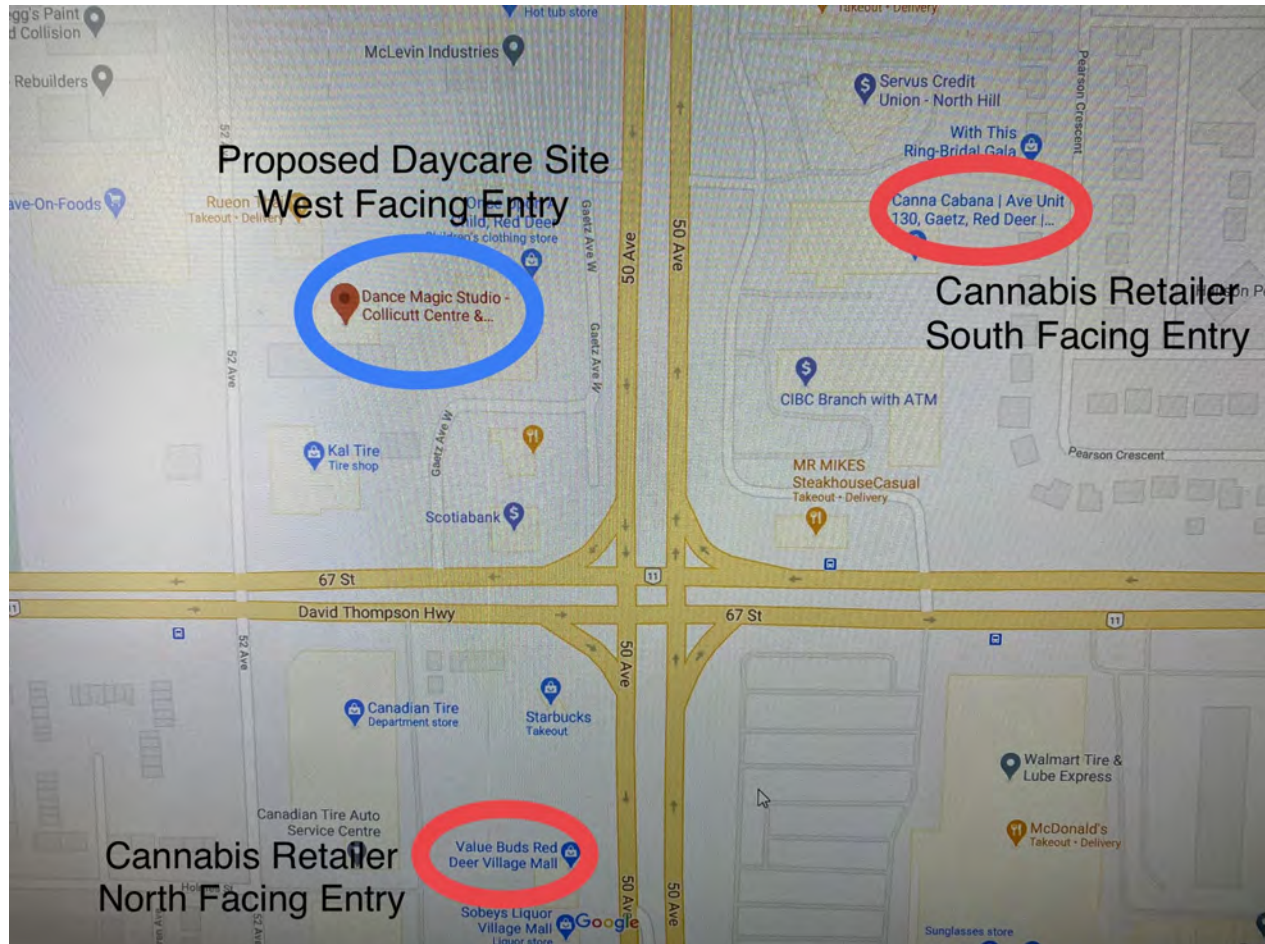
Dance Magic Studio is proud to be a locally owned and operated business in Red Deer for more than 33 years. 6 years ago, we relocated our second location to our "forever home" in North Red Deer. In 2013, we invested in land to build Red Deer's first Performing Arts Centre becoming home to Arts In Motion - Performing Arts Preschool. Our operations within the facility are child focused - we are proud to serve more than 1300 children weekly in dance, music, acrobatics and preschool programming.

Recently, Dance Magic Studio Ltd was honored with the great responsibility to steward an investment from the Alberta Government in support of the recent Child Care Capacity Building Grant. This opportunity comes alongside our intentions to serve a specifically targeted need addressed by the Alberta Government; providing location specific childcare in North Red Deer. The DayCare will operate as an extension of programming within Arts In Motion Preschool and will support families to find reliable, affordable childcare in their return to work during our recovery from the pandemic. This particular project is anticipated to create more than 10 full time positions within the City Of Red Deer, in addition to the multiple job opportunities injected throughout the construction project.

I would like to highlight a few key points for consideration in this proposal:

1. Our building was intentionally designed to serve children in our community. We have been in this location for more than 6 years and believe the services we provide are an important part of developing healthy young people on their journey into adulthood. Given that the current use of our facility is very much youth focused, extending services in this direction feels like a natural progression of the services we have been offering for more than 6 years in this location. While I can respect the intention behind limiting the proximity between daycares and cannabis retailers - if the idea is to keep youth focused businesses away from these retailers, I believe we should have been notified of their proximity to our location prior to them finding roots in our geographic location. I don't believe the intention here was to increase red tape for the Daycare Centre but rather to control the locations and density of Cannabis retailers. **I ask for consideration to be made in allowing Schools and Daycares to use their discretion when selecting a location to operate within the 300m radius of a Cannabis Retailer.**

2. Our building currently faces West on 52nd ave towards Save On Foods - a service road directly off of 67th street. Standing on any piece of our property, it would be impossible to see or even access the Cannabis retailers without great effort. Both of the retailers are located across main artillery roads. One being across 67th street in Village Mall and the other being across Gaetz Avenue, on the back side of Giant Tiger. Both retailers are within 270 meters of the proposed Daycare site.
3. The Map of our current location with respect to the Cannabis Retailers is noted below.



4. On February 1st, 2021 the Alberta Government instituted a new Child Care Licensing Act, focused on reducing red tape for childcare providers to operate in the various divisions of childcare. Previously, the ChildCare Licensing Act was divided into three unique licenses:
 - 1) PRESCHOOL LICENSE
 - 2) DAYCARE LICENSE
 - 3) HOME BASED LICENSE

Under the new Child Care Act, there are just two types of licenses available;

- 1) FACILITY BASED LICENSE (including all daycare + preschools that operate in a commercial facility)
- 2) HOME BASED LICENSE

Given the new guidelines as of February 1st, 2021, our existing Preschool License has been rolled over into the NEW Facility Based License as described above, allowing both Daycare and Preschool operations within the license agreement.

Thank you for taking the time to consider this proposal. I am proud to do business in Red Deer. I believe in the initiative in place to ensure safe, healthy opportunities for our community to thrive. Given the proximity of the Cannabis Retailers with respect to our building, the main artillery roadways between us, our support from the Alberta Government to move forward in creating new child care spaces and the new Licensing Act in place - I hope you will consider this relaxation as a means to encourage a healthy recovery to the childcare sector and local business within your City.

Sincerely, Christine Slaymaker

Owner
Dance Magic Studio Ltd.
403-302-3442



May 10, 2021

Land Use Bylaw Amendment 3357/L-2021

Amendment of a Site Exception 6610 – 71 St. to consider an Outdoor Patio within II Industrial (Business Service) District

Consideration of Second and Third Reading

Prepared By: Jennifer Hankey, Corporate Meeting Administrator

Department: Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, April 26, 2021 City Council meeting.

Recommendation:

That Council consider second and third readings to Bylaw 3357/L-2021.

Background:

On April 26, 2021 Council gave first reading to Bylaw 3357/L-2021 (an amendment to the Land Use Bylaw to amend a site exception at 6610-71 Street to consider an outdoor patio within an II Industrial (Business Service) District)

Proposed Resolution:

That Bylaw 3357/L-2021 be read a second and third time.



Originally submitted to the April
26, 2021 Council Meeting

April 26, 2021

Land Use Bylaw Amendment 3357/L-2021 Amendment of a Site Exception 6610 – 71 St. to consider an Outdoor Patio within I1 Industrial (Business Service) District

Prepared by: Matthew Goebel, Planner
Department: City Planning & Growth Department

Report Summary & Recommendation

Administration has received an application from Drummond Brewing to update their existing site exception to accommodate an outdoor patio.

The Drummond Brewery was established by site exception in 2012. The 2012 Drummond Brewery site exception provided restrictive wording in order to test the compatibility with industrial uses. An amendment is required to remove restrictions of no outdoor extensions to allow a patio use.

Administration recommends that Council proceed with first reading of Land Use Bylaw 3357/L-2021.

Proposed Resolution

That Bylaw 3357/L-2021 be read a first time.

If first reading is given, these bylaws will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, May 10, 2021.

Rationale for Recommendation

1. Reduction of red tape.

The brewery was the first in Red Deer and a conservative approach in limiting outdoor use was taken to test the use in the industrial area. No conflicting land use concerns have arisen since the brewery use in the industrial area. By removing the current patio restriction, the applicant can then proceed to apply for a patio, similar to other brewery locations in industrial areas of the city.

2. Consistent with other breweries.

Other breweries within Red Deer are able to apply for outdoor patios within industrial areas.

3. Aligns with City plans and policies, and current development trends.

The site exception is consistent with policies found in the Municipal Development Plan (MDP) and Northwest Major Area Structure Plan (MASP). Microbreweries and outdoor patios continue to increase in use throughout Alberta.

Discussion and Analysis

Background

The existing site exception for the current brewery specifically excludes patio use and therefore an amendment is required for a patio.

The applicant, Drummond Brewing Co. currently operates a brewery and is located in the northern portion of the Golden West Industrial Area along 71 Street.

The use and surrounding properties to the east, south, and west are I1 (Business Service) industrial uses, residential uses are to the north.

The amendment request will enable the applicant apply for a patio development permit at the front of the business, occupying approximately two (2) parking spaces in the existing parking lot associated with the business.

History of Drummond Brewing Co.

In 2012 Council approved the current site exception. The site exception allowed for a Drinking Establishment secondary to a brewery manufacturing facility. It restricted the size of the Drinking Establishment and limited the use to indoor seating only (See Appendix C). These restrictions addressed concerns of the compatibility of the use within an industrial context that were present at the time.

Analysis

In total three brewery site exceptions operate within the industrial areas of Edgar Industrial and Golden West.

No concerns have been raised for the use over the years of operations, and other similar uses have proven the use to be compatible within an industrial setting. Currently during the COVID-19 pandemic health restrictions the only option to accommodate customers on site is through outdoor patios. The patio will allow the business to continue serving customers while adhering to health restrictions.

The application is compliant with the Municipal Development Plan, and other applicable plans (See Appendix B).

The development of breweries have increased in many municipalities throughout the province and the country. Many are located within industrial settings to allow both the tasting rooms or drinking establishments and manufacturing to occur on the same site.

Dialogue

The application was circulated to various City departments for review. All comments have been incorporated into the proposed bylaw.

An information package was sent to landowners within 100 m of the site. In total 52 letters were mailed. The following table summarizes feedback from one written response and one phone call received. Administration provided responses to each comment as they were received by email or phone conversation.

Summarized Landowner Comments	Administration Response
Concern that the outdoor patio would be located behind the business to the north, close to residential properties	The applicant has indicated that any potential outdoor patio would be located at the front on the business to the south, within the existing parking lot and along 71 Street. This is approximately 110 m from the nearest residential property and the location would not be visible from any residential property to the north.
Concern with the number of parking stalls required to facilitate the outdoor patio if it were located in the existing parking lot in front of the business to the south	The applicant has indicated that any potential outdoor patio would be located within two (2) parking spaces immediately in front of the business. This would leave 30 stalls available for use in the parking lot. It is also noted that the drinking establishment's peak time of operation is normally after the other businesses in the area operate. In addition, parking concerns would be further addressed at the development permit stage if the site exception were approved.

Appendices

Appendix A – Location and Land Use Maps

Appendix B – Relevant City Policies and Objectives

Appendix C – Land Use Bylaw Excerpts

Appendix D – Dialogue

BYLAW NO. 3357/L- 2021

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3357/2006 is hereby amended as follows:

1. Delete Section 8.22(1)(d)(xi)
2. Add the following to Section 8.22(1)(d)(xi)

Drinking Establishment indoor area not to exceed 100 m² in area, and with an occupancy load of not more than 60 persons, secondary to a manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 71 Street).

3. The “Land Use District Map J19” contained in “Schedule A” of the Land Use Bylaw are hereby amended in accordance with Map 9/2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of 2021.


READ A THIRD TIME IN OPEN COUNCIL this day of 2021.

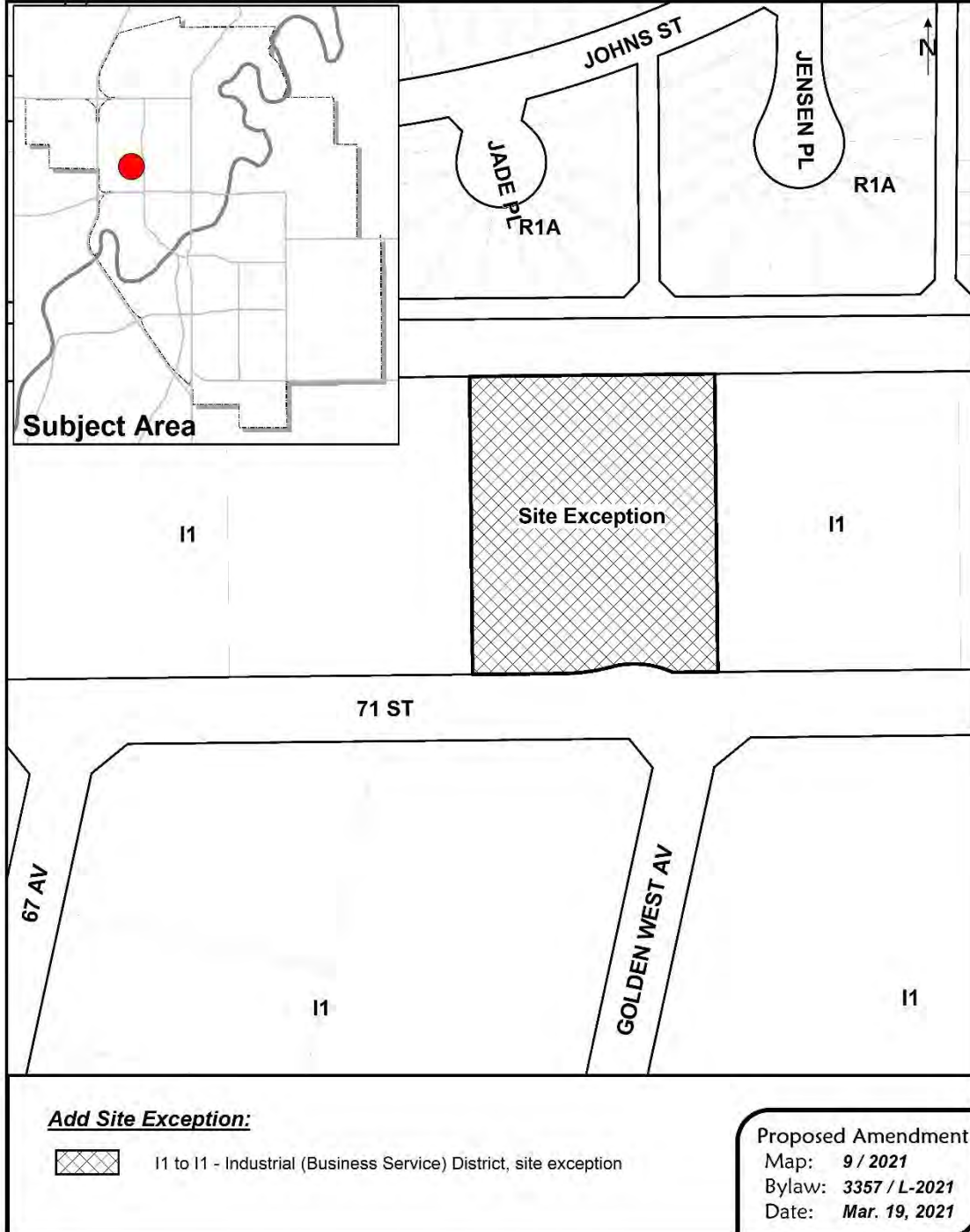
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2021.

MAYOR

CITY CLERK

Schedule "A"

 **Red Deer** Proposed Amendment to Land Use Bylaw 3357/2006



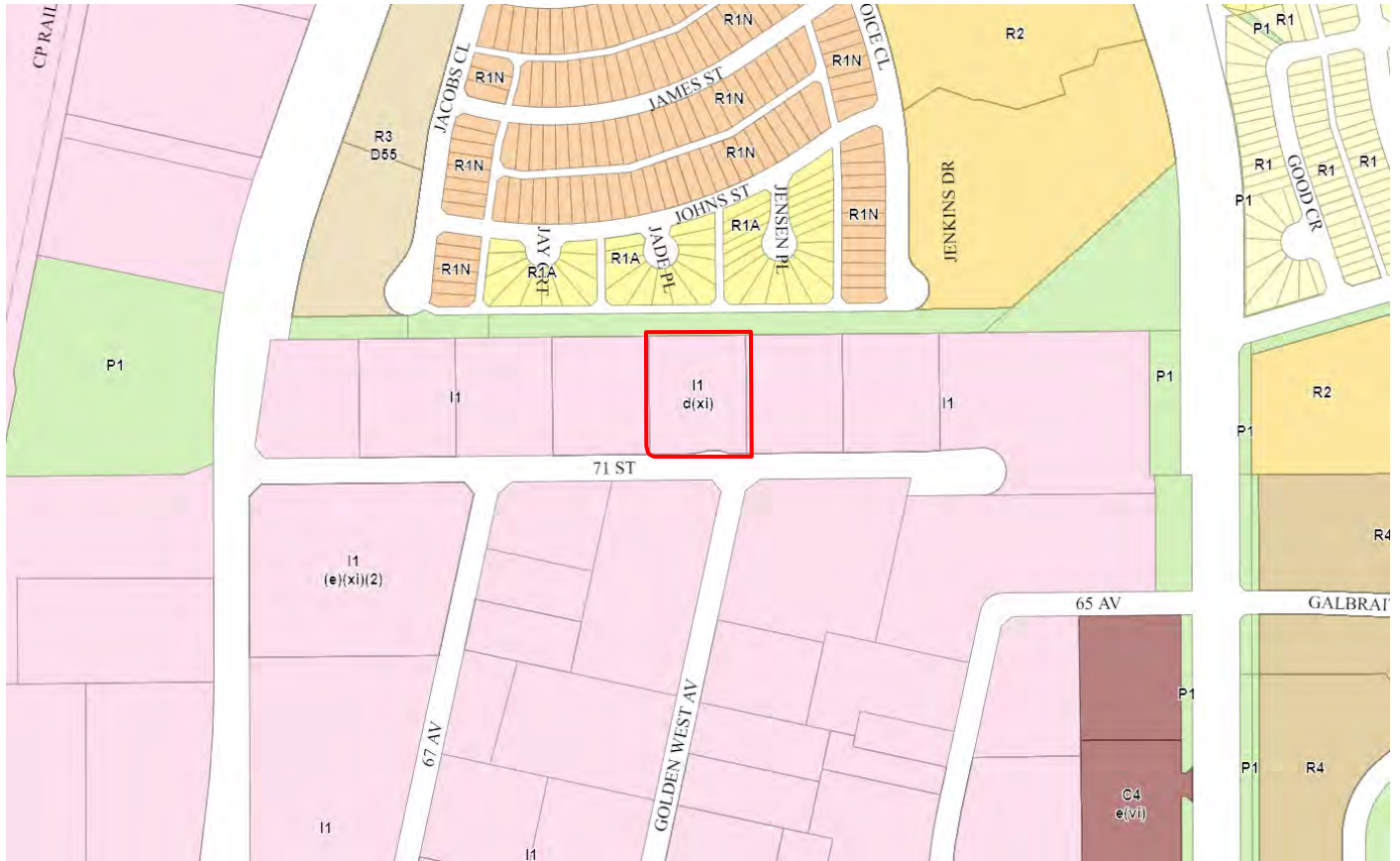
APPENDIX A

Location and Land Use Maps

Location Map – Subject Site Outlined in Red



Land Use Map - Subject Site Outlined in Red



APPENDIX B

Relevant City Policies

Municipal Development Plan (MDP)

6.2 Creating a Positive Business Environment

The City should foster a competitive business climate through policies and actions that help maintain competitive operating costs and streamline approval processes and timelines.

Northwest Major Area Structure Plan (MASP)

3.2 Objectives

The objectives of the Northwest Area Structure Plan are:

6. To position commercial sites that serve the community and are economically viable.

APPENDIX C

Current Site Exception Wording

Land Use Bylaw Site Exception – 3357/P-2012

- (xi) ³Drinking Establishment not to exceed 100 m² in area, with an occupancy load of not more than 60 persons, secondary to a brewery manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 – 71 Street), and no outdoor extensions at the above location shall be permitted in addition to or as an accessory to the above use

APPENDIX D

Dialogue



CITY PLANNING & GROWTH DEPARTMENT

Date: March 24, 2021

«Prime_Owner_Name»

«Owner_Address_1»

«Owner_Address_2»

To: Landowners within 100 m of Unit 8, 6610 71 Street (Lot 5, Block 1, Plan 0125593)

Re: A site exception to allow an outdoor patio as part of a drinking establishment and brewery, Drummond Brewery Co.

Why have you received this letter?

You are being notified of a proposed amendment to the Land Use Bylaw (Bylaw 3357/L-2021). As part of the City's overall evaluation process, landowners within 100 metres of the site are provided with an opportunity to review and comment on the proposed amendment. As you are a landowner within 100 metres of the subject site, you are invited to review and provide comments on the proposed amendments by **Wednesday, April 14, 2021**.

What is being proposed?

The City Planning & Growth Department has received an application to amend the Land Use Bylaw at Unit 8, 6610 71 Street (Lot 5, Block 1, Plan 0125593) to allow an outdoor patio as part of the existing drinking establishment and brewery on site.

The parcel is within the I1 Industrial (Business Service) District and has a site exception to allow a drinking establishment on site. Neither the district nor the site exception allows for outdoor patios; therefore an amendment to the Land Use Bylaw is required prior to a patio being constructed.

A location map, land use map, the I1 land use district, and the existing site exception are attached to this referral package for context.

Do I have to provide comments?

It is optional to provide comments. If you would like to submit comments, please do so by **4:30 PM, Wednesday, April 14, 2021**. Methods for submitting comments are outlined in the attached comment sheet.



CITY PLANNING & GROWTH DEPARTMENT

What will happen if I submit comments?

All comments received will be reviewed by City of Red Deer City Planning & Growth staff. They will be incorporated into the report that will be presented to Council when they consider First Reading of the proposed amendments.

What is the next step for this amendment?

It is anticipated that the proposed bylaw will be presented to Council for consideration in the coming months. If Council gives First Reading to the proposed amending bylaw, Council must hold a Public Hearing prior to considering Second and Third Reading (adoption) of the proposed bylaw. Public Hearings are advertised in the Friday edition of the Red Deer Advocate and all landowners within 100-metres of the site will also receive written notification of the Public Hearing. The Public Hearing is an opportunity for the public to speak directly to Council about any concerns they may have with the proposed bylaw.

Thank you for your consideration in this matter. Please do not hesitate to contact me if you require additional information or clarification.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Goebel', with a long horizontal line extending to the right.

Matthew Goebel, Planner
(403) 406 - 8702
matthew.goebel@reddeer.ca

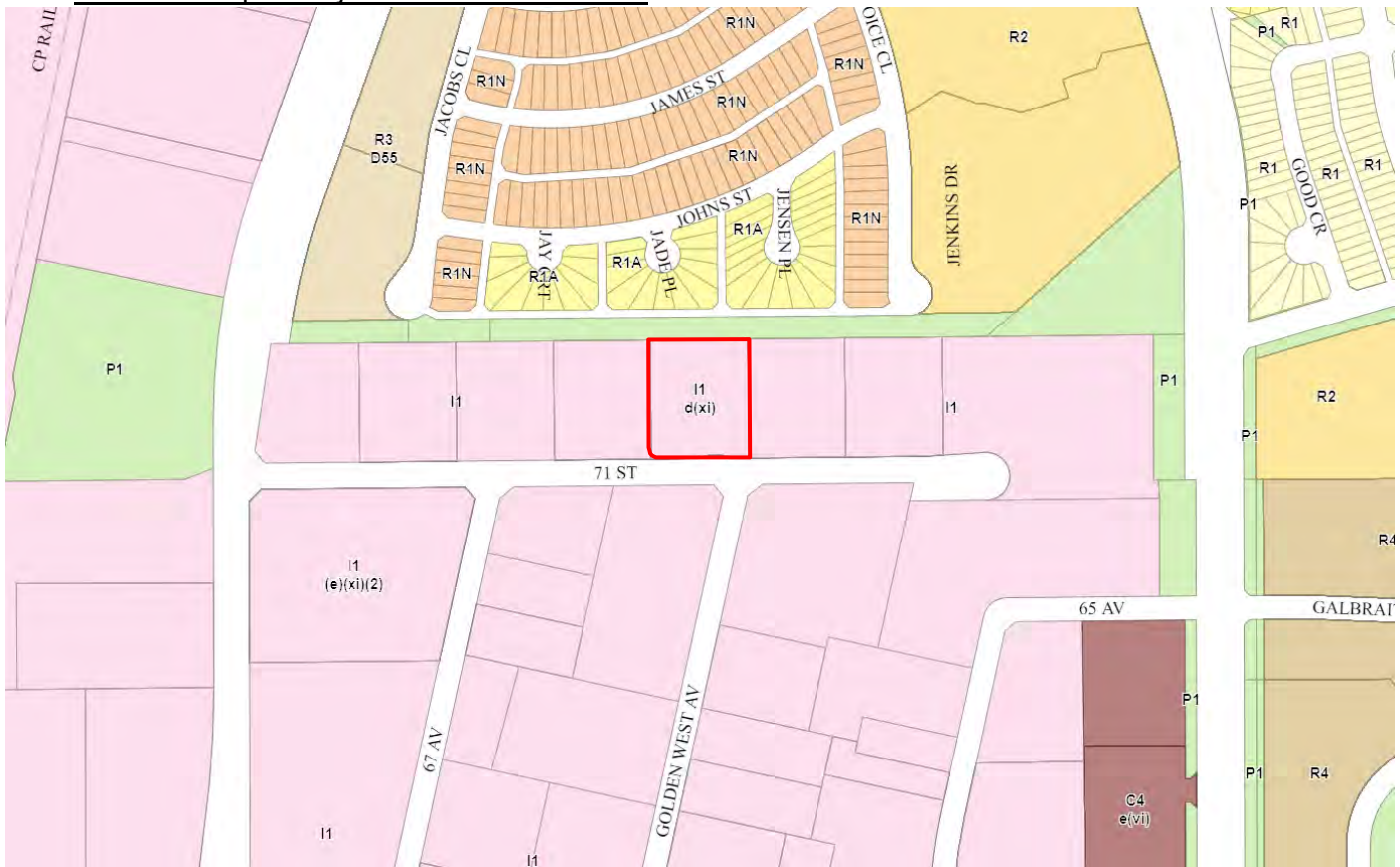


CITY PLANNING & GROWTH DEPARTMENT

Location Map – Subject Site Outlined in Red



Land Use Map – Subject Site Outlined in Red



6.1 I1 Industrial (Business Service) District



General Purpose

¹The general purpose of this District is to provide for a limited range of light industrial, warehousing, storage, and industrial support services within the performance standards of section 6.6 subsection (2)(a), the operation of which do not create or emit noises, odours, dust, fumes or other factors which are regarded as nuisances. In addition, this district will provide for certain other businesses which are incompatible in commercial districts.

1. I1 Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory buildings or uses excluding sales subject to section 3.5.
(ii)	Accessory sales related to manufacturing, processing, and/or distribution of any article.
(iii)	Accessory sales of used trucks, used automobiles and used holiday trailers, providing that collectively there are not more than three units for sale on the site at any one time.
(iv)	² Building Sign; and
(v)	³ Freestanding Sign.
(vi)	Industrial support services.
(vii)	⁴ DELETED
(viii)	Manufacture, processing, distribution, repair, servicing, and/or rental of any articles.
(ix)	Service stations.
(x)	⁵ Warehousing.
(xi)	⁶ Outdoor storage.
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel products including propane and used oil.
(ii)	Animal services.
(iii)	Auction marts (excluding livestock).
(iv)	⁷ Billboard Sign;

¹ 3357/N-2019, 3357/M-2019

² 3357/B-2018

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/E-2006

⁶ 3357/E-2006

⁷ 3357/B-2018

City of Red Deer Land Use Bylaw 3357/2006

(b) Discretionary Uses <i>continued</i>	
(v)	¹ DELETED
(vi)	² DELETED
(vii)	³ Dynamic Fascia Sign; and
(viii)	⁴ Dynamic Freestanding Sign.
(ix)	Crematorium
(x)	Dangerous goods occupancy.
(xi)	Restaurant.
(xii)	⁵ Sale of large trucks over 10,000 Kg, Manufactured Homes, heavy construction equipment and machinery
(xiii)	Sale of horse, stock, and light flatdeck and cargo trailers.
(xiv)	⁶ DELETED
(xv)	Transportation, communication or utility facility.
(xvi)	⁷ Industrial trade schools (maximum capacity of 60 persons).
(xvii)	⁸ Accessory outdoor display or sale of goods
(xviii)	⁹ Pet Crematorium
(xix)	¹⁰ Alternative/Renewable Energy Facility on sites designated in an Eco Industrial Park Overlay District.
(xx)	¹¹ Uses that produce waste materials, outputs, or by-products that may be used as inputs for an industrial operation within the Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.
(xxi)	¹² Uses that may consume waste materials, outputs, or by-products that are produced by an industrial operation within an Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.

2. I1 Industrial (Business Service) District Regulations

(a) Table 6.1 I1 Regulations

Regulations	Requirements
Floor Area Minimum	n/a
Building Height	n/a

¹ 3357/G-2016, 3357/B-2018

² 3357/G-2016, 3357/B-2018

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/E-2016

⁶ 3357/B-2018

⁷ 3357/L-2011

⁸ 3357/E-2006

⁹ 3357/M-2008

¹⁰ Correction 38

¹¹ 3357/L-2018

¹² 3357/L-2018

 City of Red Deer Land Use Bylaw 3357/2006

Regulations	Requirements
Maximum	
Front Yard Minimum	6.0 m, except Edgar Industrial Drive “and I1 ¹ zoned lands located within an Eco Industrial Park Overlay District” which is 9 m
Side Yard Minimum	6.0 m one side
Rear Yard Minimum	3.0 m
Landscaped Area	40 % of minimum front yard
Parking Spaces	Subject to section 3.1 and 3.2
Loading Space	Subject to section 3.7
Site Area Minimum	929.0 m ²
Frontage Minimum	22.0 m

- (b) ²I1 District is subject to any applicable industrial regulations listed within section 6.6.
- (c) Notwithstanding section 6.1(2)(a) Table 6.1, buildings on properties abutting a major arterial or abutting a service road adjacent to a major arterial shall be constructed at least 18.0 m from the said arterial or service road. The building on Lot 10A, Block A, Plan 782 0258 (2404 - 50 Avenue) shall be exempted from this regulation, but shall have a minimum front yard setback of 15.0 m.

¹ 3357H-2014

² 3357/N-2019, 3357/M-2019

Land Use Bylaw Site Exception – 3357/P-2012

- (xi) ³Drinking Establishment not to exceed 100 m² in area, with an occupancy load of not more than 60 persons, secondary to a brewery manufacturing facility, at Block 5, Lot 1, Plan 0125593 (6610 – 71 Street), and no outdoor extensions at the above location shall be permitted in addition to or as an accessory to the above use

Comment Sheet

**We invite you to provide feedback regarding the proposed Land Use Bylaw amendment.
Your feedback is important to us.**

Collection & Release of Your Information: *The City is collecting your information as part of the referral process that is described in Section 2.19(5) of The City of Red Deer Land Use Bylaw. The personal information on this form is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Manager of Planning at The City of Red Deer, 4914-48 Ave, Red Deer, AB 403-406-8700.*

Land Use Bylaw Amendment:	Bylaw 3357/L-2021 Site exception at Unit 8, 6610 71 Street (Lot 5, Block 1, Plan 0125593) to allow an outdoor patio as part of the existing restaurant and brewery on site
Planner:	Matthew Goebel
Please provide comments by 4:30 PM, Wednesday, April 14, 2021.	

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: _____

Mailing Address: _____ Postal Code: _____

Phone #: _____ E-mail Address: _____

General Comments

Hi Stephanie,

Thank you for your email.

If the outdoor patio site exception was approved by Council, the applicant has indicated that they would locate the patio at the front of the brewery in the existing parking lot. I have attached two images showing the approximate location of the outdoor patio. The first shows a top down satellite image, and the second shows a view from the street.

Your email will be collected and presented to Council for consideration. If you would like to provide any additional comments or concerns for Council to consider, please don't hesitate to respond to this email or send back the completed Comment Sheet in the mail.

Thank you again for your comment,

Matthew Goebel | Planner
City Planning & Growth | The City of Red Deer
(403) 406 - 8702
Matthew.Goebel@reddeer.ca

Hello Matthew,

I have received a Notice from you regarding the proposed exception for outdoor patio to the Drummond Brewery Co.

I am very concerned about the noise issue as I'm located directly behind the establishment in residential area. My backyard faces the back of brewery. Can you tell me if the patio is being considered for the front or back of the brewery? It did not detail this in the letter I received from you.

Thank you,
Stephanie Hopkins
[REDACTED]

Sent from my iPhone

Hi Marcel,

Thank you for your email.

Sorry to hear that you are having difficulty sending your comment. I remember the phone call that we had about Drummond Brewing last Monday, but I have not received any emails from you until now. Regardless, I can see your comment now and this is a perfectly fine way of submitting. Your comment will be presented to Council along with the others we have received.

Thanks again,

Matthew Goebel | Planner

City Planning & Growth | The City of Red Deer

(403) 406 - 8702

Matthew.Goebel@reddeer.ca



From: Marcel Mercier [REDACTED] >

Sent: April 12, 2021 5:11 PM

To: Matthew Goebel <Matthew.Goebel@reddeer.ca>

Subject: [External] Comment Sheet - Drummond

Hello Matthew,

I am having difficulty in sending my comment sheet to you. I am always getting a not deliverable email back (twice now). Here is my third try. The comments are below:

I would allow the change to the land use bylaw in this instance based on the size of the patio Drummond Brewing wants.

Marcel Mercier
615007 Alberta Ltd



CITY PLANNING & GROWTH DEPARTMENT

Comment Sheet

We invite you to provide feedback regarding the proposed Land Use Bylaw amendment.
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Planner:	Matthew Goebel
Please provide comments by 4:30 PM, Wednesday, April 14, 2021.	

Contact Information
Your contact information allows administration to respond as needed.
PLEASE PRINT

Name: Natasha Holbrook

Mailing Address: [REDACTED] Postal Code: [REDACTED]

Phone #: [REDACTED] E-mail Address: [REDACTED]

General Comments

We are fine with the amendment.

Hi Theodora,

Thank you for your email.

The applicant has indicated that the proposed patio would be located at the front of the business along 71 Street in the existing parking lot. I have attached two images showing the approximate location of the outdoor patio. The first shows a top down satellite image and the second shows a view from 71 Street.

I do not have any information on the proposed operating hours of the outdoor patio at this time, but they would likely align with the current operating hours of the business at this time.

Please do not hesitate to reply with any additional questions, comments or concerns. If you are interested in speaking at the public hearing on May 10th, please follow the instructions on the mail out notification that you received.

Thanks again,

Matthew Goebel | Planner

City Planning & Growth | The City of Red Deer

(403) 406 - 8702

Matthew.Goebel@reddeer.ca





From: Theodora Bradley [REDACTED] >
Sent: April 29, 2021 12:16 PM
To: Matthew Goebel <Matthew.Goebel@reddeer.ca>
Subject: [External] Site 6610-71 Street

Hi Mathew,

I received notification on the proposed bylaw amendment. I have a couple questions as I live directly behind the brewery. Will the patio be in the back or the front of the business. What are the proposed hours of operation?

Thanks,

Theodora Bradley, SR/WA

[REDACTED]