

April 26, 2021

## **Council approves updates to the Community Standards Bylaw**

On April 26, 2021, Red Deer City Council gave second and third reading to the updated Community Standards Bylaw (No. 3369/2021). Learn about the updates and changes within the new Community Standards Bylaw.

### **1. What is the Community Standards Bylaw?**

The *Community Standards Bylaw* was developed as a means of regulating certain activities, including noise, nuisances, unsightly premises and public disturbances. It has proven successful over the years in improving the aesthetics of the community. The bylaw is frequently used by the Inspections & Licensing and Municipal Policing Departments, as well as the RCMP.

### **2. Why is the Bylaw being updated?**

Since the adoption of the bylaw in 2007, there have been minor amendments made related to graffiti, panhandling and curfew, but it has never had a complete review.

There are several things prompting the update to the bylaw, including clarity for citizens and staff, consideration of changing social dynamics and the Charter of Rights and Freedoms, an increase in unoccupied buildings, and chronic nuisance properties. In addition to those items identified by Administration, public participation feedback received through the Neighbourhood Life and We Are Better Together initiatives identified the need to review and update the bylaw.

### **3. What has changed?**

In response to public feedback and administrative input, there are four main areas of change in the new bylaw – clarifying definitions, addressing chronic nuisances, dealing with unoccupied buildings, and responding to current legislation.

- I. **Clarity:** The bylaw provides clarity, and enhances the overall effectiveness of the bylaw provisions and their enforceability. The new bylaw includes clearer definitions, specifics such as length of grass, what constitutes a nuisance, as well as regulations related to unoccupied buildings.
- II. **Chronic Nuisances:** The bylaw provides an innovative method of addressing chronic nuisance properties. Chronic nuisances are often

properties where both from The City and the RCMP have numerous complaints regarding, which can be extremely time consuming and resource intensive, as well as frustrating for the surrounding property owners or community. To address these chronic problems, the bylaw allows for cost recovery by The City. A flat rate fees can be billed directly to the property owner each time The City is required to attend the designated property. While the rates do not provide for full cost recovery, they meet the goal of penalizing chronic offenders and lessening the amount currently subsidized by the tax base.

- III. **Unoccupied Buildings:** The bylaw provides definition of an unoccupied building, which is where the owner or tenant has not occupied the building for a continuous period of 30 days out of a 45 day period, but does not include unoccupied properties that are inspected with reasonable frequency inside and outside for signs of damage, vandalism or unauthorized entry.
- IV. **Legislation:** Administration conducted an extensive review to ensure that this bylaw is congruent with legislation from other levels of government, while still addressing changing social dynamics. Changes included amendments to the loitering and curfew provisions.

#### **4. What are the results of these changes?**

This new bylaw allows Administration to be more nimble and responsive in the enforcement of our bylaws to support crime reduction and improve community safety, and reflects the collaboration of City Administration and the RCMP.

#### **5. What public feedback was incorporated in these changes?**

Through two public participation initiatives, *Neighbourhood Life* and *We Are Better Together*, The City received feedback on community standards and crime and safety concerns. The central themes were:

- Clear and enforceable community standards to address aesthetics and noise.
- Increased authority and clarity around public and nuisance behaviours, vacant and derelict properties, and yard maintenance.

#### **6. How is a property designated as a Nuisance?**

The authority to deem a property as a Nuisance is delegated from the City Manager to the Inspections & Licensing Manager. A property must be the subject of more than 8 complaints or enforcement actions by the City or the R.C.M.P. related to Nuisance within 6 months, or more than 4 complaints or enforcement actions by the City or the R.C.M.P. within a 48 hour period. A process for

reporting between the RCMP and The City will be determined over the coming weeks and may need to be tweaked as we work with these new provisions.

#### **7. What is a Nuisance?**

New to the bylaw are behavioural nuisances, such as a noisy party, a group of people making noise, loud music, car racing, revving engines, yelling, shouting, screaming, or fighting. The bylaw identifies the following as a Nuisance.

Any activity or condition which:

- (i) unreasonably interferes with the use and enjoyment of any highway, park or other public area;
- (ii) unreasonably interferes with the use and enjoyment of private property;
- (iii) causes injury to the health, comfort or convenience of an occupier of land; or
- (iv) contravenes the Nuisance prohibition provisions of Part 2 of the bylaw;

and without limiting the generality of the foregoing includes unreasonable noise, littering, unreasonable odour, fighting, the accumulation of water or other liquids on a Property, or the presence of an unsanitary conditions on a Property.

#### **8. Who do I contact?**

Private property complaints: City of Red Deer Compliance: 403-342-8328 or [inspections@reddeer.ca](mailto:inspections@reddeer.ca)

Public property complaints: Red Deer RCMP Non-emergency line: 403-343-5575

#### **For more information:**

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The City of Red Deer  
403-342-8192