



BYLAW 2020-04

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO REGULATE CAMPING IN PUBLIC PLACES

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This bylaw shall be known as the Camping Bylaw.

INTERPRETATION

2. In this bylaw:
 - (a) Camp means to stay between the hours of 10:00 p.m. and 08:00 a.m. in a tent, vehicle or other form of shelter, or under the open sky, whether or not on a temporary basis;
 - (b) Peace Officer means:
 - (i) a person appointed as a bylaw enforcement officer pursuant to the Municipal Government Act, as amended;
 - (ii) a person appointed as a Peace Officer pursuant to the Peace Officer Act, as amended; or
 - (iii) a police officer;
 - (c) Public Place means any land owned or leased by the municipality, other than a highway, that the public is ordinarily entitled or permitted to use and includes:
 - (i) parks, as defined in the Parks Bylaw as amended,
 - (ii) parking lots, and
 - (iii) land developed, used or managed by the Town for public utilities;
 - (d) Violation Tag means a municipal tag or similar document issued by a Peace Officer in relations to an offence under this bylaw;
 - (e) Violation Ticket means a ticket issued pursuant to the Provincial Offences Procedures Act, as amended, and the regulations thereunder.

Bylaw approved by:

Two handwritten signatures in blue ink, one appearing to be "CH" and the other "JB", written over a horizontal line.


3. The following words shall have the same meaning as defined by the Traffic Safety Act and its regulations, as amended:
 - (a) Highway;
 - (b) Park;
 - (c) Traffic Control Device;
 - (d) Trailer; and
 - (e) Vehicle.

CAMPING RESTRICTIONS

4. No Person shall Camp on any Highway or Public Place unless:
 - (a) a permit has been issued pursuant to the Parks Bylaw, as amended, or any other applicable Town Bylaw; or
 - (b) a sign authorized by the Town or traffic control device indicates that a place may be used for that purpose.
5. No Person shall park or stop a Vehicle or Trailer on any Highway or part of Highway, Town right-of-way or Public Place between the hours of 10:00 p.m. and 8:00 a.m. for the purpose of sleeping in the vehicle or trailer, or sleep in a vehicle or trailer so parked or stopped during those times, except where a sign authorized by the Town or other traffic control device indicates that a place may be used for that purpose.

INSPECTIONS AND SEIZURES

6. When necessary for the purpose of enforcing this bylaw, a Peace office is authorized to:
 - (a) enter any tent or shelter on any Highway or in any Public Place; or
 - (b) seize and impound any item that is used in contravention of this bylaw.
7. A Peace Officer who removes and stores an item pursuant to Section 6(b) shall not be responsible for any damage that may occur to the item during removal and storage.
8. The Town shall dispose of any item not claimed within 30 days.
9. Any items seized and impounded in accordance with this bylaw shall be returned to the owner upon payment of the fee specified in Schedule A.
10. Fees charged in accordance with Section 9 shall be in addition to any penalty in lieu of prosecution.

Bylaw approved by: 

ENFORCEMENT AND PENALTIES

11. Any person who contravenes any provision of this bylaw is guilty of an offence and upon conviction shall be liable for a minimum penalty of \$100.00, and not exceeding \$10,000.
12. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person, who a Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
13. A Violation Tag may be issued to such person:
 - (a) either personally; or
 - (b) by mailing a copy to such person at their last known address.
14. The person to whom a Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.
15. If the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, as amended.
16. Notwithstanding section 6 of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
17. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

ENACTMENT/TRANSITION

18. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
19. This bylaw comes into force on the date it is passed.

FIRST READING: March 3, 2020

SECOND READING: March 3, 2020

THIRD READING: March 3, 2020

DATE IN FORCE: March 10, 2020

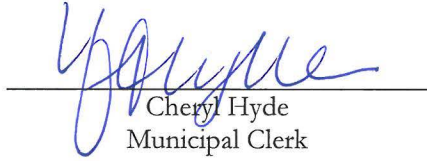
Bylaw approved by: 

Approved on behalf of the Town of Canmore:



John Borrowman
Mayor

March 10, 2020
Date



Cheryl Hyde
Municipal Clerk

March 5, 2020
Date

Bylaw approved by: CH JB

Schedule A – Impoundment and Storage Fees

Impoundment: \$50.00

Storage: \$10.00 per day or portion thereof.

Bylaw approved by: CM JB

