

Litter Bylaw # 1598

A By-Law for the purpose of regulating littering in the Town of Cardston,
in the Province of Alberta

WHEREAS the Municipal Government Act, Chapter 26, Revised Statutes of Alberta 2000 and amendments thereto permits the Council of the Town of Cardston, by By-Law, to prohibit the depositing of litter in any and all public places within the Town of Cardston.

AND WHEREAS the depositing of litter on the streets, lanes or any other public places within the Town of Cardston causes an unsightly condition, and could create a danger to public safety, health and welfare.

AND WHEREAS the Council of the Town of Cardston deems it advisable to adopt such a By-Law;

1.0 TITLE

This By-Law may be cited as the "LITTER BYLAW"

2.0 DEFINITIONS

In this By-law

- a) "Enforcement Officer" means a member of the Royal Canadian Mounted Police, a Peace Officer or a Bylaw Enforcement Officer of the Town of Cardston.
- b) "Highway" means any thoroughfare, street, road, roadway, trail, avenue, parkway, driveway, viaduct, lane, square, bridge, causeway, trestle-way, or other place, whether publicly or privately owned and any part of which the public is ordinarily entitled or permitted to use for the passage of Vehicles.
- c) "Litter: means any wastepaper, cardboard, plastic, wrappers or containers from food or drink products, trash or garbage other than household garbage left at the curb for regular pick-up.
- d) "Municipal Tag" means a tag or ticket wherein a person alleged to have committed a breach of a provision of this By-Law is given an opportunity to pay a voluntary penalty to the Town of Cardston in lieu of prosecution for the offence;
- e) "Person" includes Her Majesty and public bodies, bodies corporate, Societies, Partnerships, Firms, or individual Companies.
- f) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by pedestrians, and includes part of a highway between the curb line (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved.
- g) "Town" means the Town of Cardston or the area within the corporate limits of the Town of Cardston, as the context may require;
- h) "Voluntary penalty" means a penalty specified in this By-Law for the contravention of a provision of this By-Law which amount shall be paid by a person to whom a municipal tag has been issued.

3.0 GENERAL

3.1. No person shall place, abandon, throw or deposit any nails, tacks, glass, crockery, barbed or other wire, scrap metal, glass or plastic bottle, paper carton or other paper, or any other container, substance or thing, on any street, lane or public place in the Town of Cardston other than in the designated waste receptacles.

3.2. No person shall place, abandon, throw or deposit wire, scrap metal, glass or plastic bottles, paper or paper carton or any other container, substance or thing in any public park, playground, sports ground, arena, or other place of public assembly to which the public may be admitted within the Town of Cardston other than in waste receptacles provided.

4.0 PENALTIES

4.1 A person who contravenes any provision of this Bylaw is guilty of an offense punishable on summary conviction and is liable for a fine not exceeding \$50.00 or in default of payment thereof by a term of imprisonment not exceeding 3 days.

4.2 Where any Enforcement Officer believes a person has committed a breach of this Bylaw, he or she may serve upon such person a municipal tag pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta. Failing payment of such municipal tag an officer may issue a provincial ticket in accordance to this same act.

4.3 Service of any tag and/or ticket shall be sufficient if it is: Personally served to the offender; or served by registered mail to the offender; or left with any adult at the place of residence of the said offender.

4.4 A person served with a tag pursuant to section 3 of this Bylaw may make a voluntary payment in respect of the amount indicated on the municipal tag, as per schedule "A".

5.0 SEVERABILITY

5.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions herein. Should any provision of this Bylaw be declared invalid, all other provisions herein shall remain valid and enforceable.

FINAL PASSING

This Bylaw shall come into effect on the date of the final reading.

Received First Reading this 8 day of February 2011.

Received Second Reading this 8 day of February 2011.

Received Third and Final Reading this 22 day of February 2011.



Mayor



Municipal Administrator

Dated FEB. 24, 2011

Schedule "A" to Littering By-law

<u>Section</u>	<u>Fine</u>	<u>Description</u>
3.1	\$50.00	Littering on streets on Town of Cardston
3.2	\$50.00	Littering on other Town property