OFFICE CONSOLIDATION

BYLAW NUMBER 32M2023

BEING A BYLAW OF THE CITY OF CALGARY TO REPEAL AND REPLACE BYLAW 5M2004, THE COMMUNITY STANDARDS BYLAW

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(Amended by: 34M2023, 45M2023, 34M2024, 51M2024, 27M2026)

WHEREAS Council has considered CDC2023-0391 and deems it necessary to repeal and replace the Community Standards Bylaw 5M2004;

WHEREAS the *Municipal Government Act,* RSA 2000, c. M-26 authorizes a municipality to pass bylaws respecting the safety, health and welfare of people and protection of people and property;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting nuisances, including unsightly property;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws regarding the remedying of contraventions of bylaws;

AND WHEREAS the *Weed Control Act,* SA 2008, c W-5.1 and the *Agricultural Pests Act,* RSA 2000, c. A-8, both permit a municipality to appoint inspectors to enforce and monitor compliance with those Acts within the municipality;

AND WHEREAS the *City of Calgary Charter, 2018 Regulation,* Alta Reg 40/2018 states that section 26(3) of the *Weed Control Act,* SA 2008, c W-5.1 does not apply to The City of Calgary;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART 1 – INTERPRETATION AND DEFINITIONS

1. (1) This Bylaw shall be cited as the "Community Standards Bylaw".

(2) In this Bylaw:

(a) "*Ambient Sound Level*" means the Sound Level measured at a Point of Reception which excludes the noise generated by an activity with respect to which a complaint about noise has been made;

(b) "*Charity Collection Site*" means an area accessible to the public, which is marked by signs identifying the name of a charity and identifying the area for the collection of donated goods, and which contains a receptacle or bin for the collection of donated goods;

(c) "*Chief Administrative Officer*" means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;

(45M2023, 2023 October 17)

(d) "*City*" means the municipal corporation of The City of Calgary, and includes the geographical area within the boundaries of The City of Calgary where the context so requires;

(e) "*Composting*" means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a useable soil conditioner;

(f) "*Concrete Mixer*" means a machine that is mounted on a Truck chassis or trailer capable of carrying concrete in a mixed or partially mixed form and pouring it at the location where it is to be used;

(g) "*Construction*" means the temporary process of demolishing or building any Structure, or repairing or improving a Structure that already exists, including landscaping, home repair, property improvement and any work in connection with that process;

(h) "*Continuous Sound*" means any Sound Level that occurs:

(i) for a continuous duration of more than 3 minutes; or

(ii) sporadically for a total of more than 3 minutes, in any continuous 15 minute time period;

(i) "*Day-time*" means the period:

(i) beginning at 7:00 A.M. and ending at 10:00 P.M. of the same day on Weekdays; or

(ii) beginning at 9:00 A.M. and ending at 10:00 P.M. of the same day on a Weekend;

(j) "*Derelict Vehicle"* means a vehicle that is:

(i) incapable of being safely operated (for example having one or more attributes similar to: a missing windshield, a missing driver's seat, a missing steering wheel, multiple flat tires, or being used for storage of items in such a way that the vehicle cannot be driven safely);

(ii) partially or fully dismantled (for example having one or more attributes similar to: missing tires, left on blocks or on a jack or other non-tire support, or missing equipment such that it is not lawful to operate on streets); or

(iii) substantially damaged;

and for greater certainty includes both passenger vehicles and *Recreational Vehicles.*

(k) "*Director, Emergency Management & Community Safety*" or "*Director*" means the *Chief Administrative Officer*;

(45M2023, 2023 October 17)

(l) "*Distributor*" means any person, owner of a business, company, or organization which distributes, permits to be distributed or causes to be distributed any Flyer which promotes the distributor's activities;

(m) "*Downtown*" means the area in The City of Calgary bounded on the east by 3rd Street East, on the south by the CPR tracks, on the west by 9th Street West, and on the north by the Bow River;

(m.1) "*Event Centre*" means the area in The City of Calgary bounded on the west by Stampede Trail, on the south by 14th avenue SE, on the east by the street running north-south located between Stampede Trail and 6th Street SE, and on the north by 12th avenue SE;

(34M2024, 2024 July 30)

(n) "*Fence*" includes a privately-built fence and a developer-built community screening fence;

(o) "*Fetus*" means a developing but unborn mammal;

(p) "*Fire Chief*" means the *Chief Administrative Officer*;

(45M2023, October 17)

(q) "*Fire Pit*" includes a permanently affixed outdoor fire receptacle and a Portable Fire Receptacle;

(r) "*Fire Place*" means an enclosed and permanently affixed outdoor fire receptacle which incorporates a permanently affixed chimney or flue, and is constructed of brick, rock or other masonry;

(s) "*Flyer*" means any printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, or any other printed or otherwise reproduced matter of literature;

(t) "*Garbage Truck*" means any vehicle equipped for transporting refuse or any vehicle equipped to load, unload and transport containers for handling refuse;

(t.1) "*Garden*" means:

(i) an area of landscaped land; or

(ii) a container;

in which flowers, vegetables, fruits, shrubs, vines or herbs are cultivated;

(u) "*Graffiti*" means words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to the surface of any Premises, Structure, or other property, but does not include words, figures, letters, drawings or stickers applied, scribbled, scratched, etched, sprayed or attached on or to the surface of any vehicle;

(v) "*Graphic Image*" means a visual image showing, or purporting to show, a Fetus or any part of a Fetus;

(w) "*Herbaceous Plant*" means a plant having little or no woody tissue above ground;

(x) "*Lane*" means an alley intended primarily for access to the rear of Premises located adjacent to the alley;

(y) "*Leq*" means the equivalent continuous Sound Level over periods of time as specified in this Bylaw at a specified location as measured by a Sound Level Meter;

(z) "*Motorized Garden Tool*" means any tool used for gardening that is powered;

(aa) "*Night-time*" means the period beginning at 10:00 P.M. and ending the following day at:

(i) 7:00 A.M. if the following day is a Weekday; or

(ii) 9:00 A.M. if the following day is a Weekend;

(bb) "*Non-Continuous Sound*" means any Sound Level that is not a Continuous Sound measured with a Sound Level Meter;

(cc) "*Non-Residential Development*" means any land or building that is not a Residential Development or Residential Building;

(dd) "*Officer*" means a Bylaw Enforcement Officer appointed under the Bylaw Enforcement Officers Appointment Bylaw 60M86, or an officer appointed under the *Peace Officer Act*, S.A. 2006, c P-3.5 or under the *Police Act*, R.S.A. 2000, c. P-17;

(ee) "*Open Composting Pile*" means a Composting site which is not fully contained in a Structure;

(ff) "*Outdoor Speaker System*" means any sound amplification device that converts electrical impulses into sound, whether the device is independent or incorporated into a radio, stereo, television, public address or other system, which is used for general listening purposes and positioned:

(i) outside of a building;

(ii) inside a building and within 2 metres of any opening in the building including a window or doorway, where it is directed outside of the building; or

(iii) in a tent;

(gg) "*Person*" includes a corporation, other legal entities and an individual having charge or control of a Premises;

(hh) "*Point of Reception*" means any location at the place of work or residence where noise or Sound Levels are heard by a complainant;

(ii) "*Portable Fire Receptacle*" means an outdoor fire receptacle which is not permanently affixed;

(jj) "*Power Tool*" includes any tool powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity or a fossil fuel;

(kk) "*Premises*" includes the external surface of all buildings and the whole or part of any parcel of real property, including the land immediately adjacent to any building or buildings;

(ll) "*Recreational Vehicle*" means a vehicle that provides temporary accommodation for recreational or travel purposes and includes but is not limited to:

(i) motor homes;

(ii) travel trailers;

(iii) fifth wheel travel trailers;

(iv) campers, whether located on a truck or other vehicle or not;

(v) tent trailers;

(vi) boats; and

(vii) a trailer used to transport any of the above;

(mm) "*Remedial Order*" means an order written pursuant to section 545 of the *Municipal Government Act*;

(nn) "*Residential Building*" means a Structure that contains one or more dwelling units including a house, multi-family dwelling, housing project, apartment building, lodging house, senior citizen complex or hospital;

(oo) "*Residential Development*" means any land which is the site of a Residential Building and is designated as one of the following land use districts:

(i) a Residential District;

(ii) a direct control district pursuant to Bylaw 1P2007, the Land Use Bylaw, where the applicable land use allows a use which is residential; or

(iii) any other land use district pursuant to Bylaw 1P2007, the Land Use Bylaw which allows residential uses;

(pp) "*Residential District*" means a residential district as defined in Bylaw 1P2007, the Land Use Bylaw;

(qq) "*Signalling Device*" means any device that produces an audible sound used for the purpose of drawing an individual's attention, including a horn, gong, bell, klaxon or public address system;

(rr) "*Sound Level*" means the sound pressure measured in decibels using the "A" weighted network of a Sound Level Meter with fast response;

(ss) "*Sound Level Meter*" means any Type 2 or better integrating instrument (as established by the standards of the American National Standards Institute "A.N.S.I.") that measures Sound Levels;

(tt) "*Structure"* means a building, garage, shed, Fence or other thing erected or placed in, on, over or under land, whether or not it is affixed to the land;

(uu) "*Truck*" means any vehicle that has a gross allowable maximum vehicle weight in excess of 5450 kilograms as listed on the official registration certificate issued by the Government of the Province of Alberta, regardless of the vehicle's actual weight at a specific time, and includes a truck-tractor and tractor-trailer, but does not include a Concrete Mixer or a Garbage Truck;

(vv) "*Weekday*" means Monday through Saturday, inclusive unless it falls on a holiday, as defined in the *Interpretation Act*, R.S.A. 2000, c. I-8, as amended or replaced from time to time;

(ww) "*Weekend*" means Sunday and any other holiday, as defined in the *Interpretation Act*, R.S.A. 2000, c. I-8, as amended or replaced from time to time.

(3) The owner of any real property, as registered on title at the Land Titles Office is ultimately responsible for all activities on the property which may constitute prohibitions of this Bylaw.

(4) Nothing in this Bylaw relieves a *Person* from complying with any Federal or Provincial law or regulation, other bylaw or any requirements of any lawful permit, order or licence.

(5) Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.

(6) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

(7) All schedules attached to this Bylaw shall form part of this Bylaw.

PART 2 – REMEDIAL ORDERS

2. (1) A *Remedial Order* issued pursuant to this Bylaw may be served:

(a) in the case of an individual:

(i) by delivering it personally to the individual;

(ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;

(iii) by delivering it by regular mail to the individual at their apparent place of residence; or

(iv) by delivering it by regular mail to the last address of the individual who is to be served as shown on the records of the Registrar of Motor Vehicle Services in Alberta;

(b) in the case of a corporation:

(i) by delivering it personally to a director or officer of the corporation;

(ii) by delivering it personally to any person apparently in charge of an office of the corporation at the address held out by the corporation to be its address; or

(iii) by delivering it by regular mail addressed to the registered office of the corporation.

(2) If, in the opinion of a person serving a *Remedial Order*, service of the *Remedial Order* cannot be reasonably effected, or if the person serving the *Remedial Order* believes that the owner of the *Premises* is evading service, the person serving the *Remedial Order* may post the *Remedial Order*:

(a) at a conspicuous place on the *Premises* to which the *Remedial Order* relates;

(b) at the private dwelling place of the owner of the *Premises* to which the *Remedial Order* relates, as shown on a certificate of the title pursuant to the *Land Titles Act* or on the municipal tax roll; or

(c) at any other property owned by the owner of the *Premises* to which the *Remedial Order* relates, as shown on a certificate of title pursuant to the *Land Titles Act* or shown on the municipal tax roll;

and the *Remedial Order* shall be deemed to be served upon the expiry of 3 days after the *Remedial Order* is posted.

(3) Every *Person* who fails to comply with a *Remedial Order* issued pursuant to this Bylaw within the time set out in the *Remedial Order* commits an offence.

PART 3 – ENFORCEMENT

General Penalty Provision

3. (1) Any *Person* who contravenes any provision of this Bylaw by:

(a) doing any act or thing which the *Person* is prohibited from doing; or

(b) failing to do any act or thing the *Person* is required to do;

is guilty of an offence.

(2) Any *Person* who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding $10,000.00 or imprisonment for not more than one year, or both.

Vehicle Owner Liable

4. If a vehicle is involved in an offence under this Bylaw, the owner of that vehicle is guilty of an offence unless the owner of that vehicle satisfies the Court that the owner was not in control of the vehicle and that the *Person* having control of the vehicle at the time of the offence had control of the vehicle without the owner's express or implied consent.

Violation Tickets and Penalties

5. (1) Where an *Officer* believes that a *Person* has contravened any provision of this Bylaw, the *Officer* may commence proceedings against the *Person* by issuing a violation ticket pursuant to the *Provincial Offences Procedures Act,* R.S.A. 2000 c. P-24.

(2) Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.

(3) Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.

(4) If a *Person* is convicted twice of the same provision of this Bylaw within a 24 month period, the minimum penalty for the second conviction and any subsequent convictions within a 24 month period shall be twice the amount of the specified penalty, unless:

(a) the *Person* is a "Young Person" (as defined in the *Youth Justice Act*, R.S.A. 2000, c. Y-1, as amended); and

(b) the convictions are under either subsection 18(2) or subsection 19(1);

in which case the specified penalty for a "Young Person" shall apply.

(5) This section shall not prevent any *Officer* from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act,* R.S.A. 2000 c. P-24, or from laying an information in lieu of issuing a violation ticket.

(6) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a *Person* from the necessity of paying any fees, charges or costs from which that *Person* is liable under the provisions of this Bylaw or any other bylaw.

PART 4 – UNTIDY PROPERTIES

Scope

6. This Part applies to *Premises* and vacant lots in residential areas and commercial areas but does not apply to industrial areas.

6.1 Subsection 7(2)(j) below does not apply to:

(a) golf courses;

(b) maintained *Gardens*;

(c) parks and natural areas under the direction and control of Calgary Parks; or

(d) areas under the direction and control of Calgary Roads including boulevards adjacent to major roadways, areas subject to naturalization efforts and sound attenuation berms.

Nuisance Properties

7. (1) No owner or occupier of a *Premises* shall cause or permit a nuisance to exist on the *Premises*.

(2) For greater certainty, a nuisance means land, or any portion thereof, that shows signs of a serious disregard for general maintenance and upkeep, that adversely affects the safety or health of surrounding residents, or land that is used in a

manner which interferes with the use or enjoyment of surrounding properties, and includes, but is not limited to:

(a) excessive accumulation of material including but not limited to household goods, boxes, tires, vehicle parts, machine parts or other items not commonly kept outdoors, whether of any apparent value or not;

(b) any accumulation of building materials, whether new or used, unless the owner or occupier can establish that a *Construction* or renovation undertaking is being actively carried out on the *Premises*, the project has begun or the beginning of work is imminent, and that all building materials are stacked or stored in an orderly manner;

(c) any appliance left outside on the *Premises* that is not intended for outdoor use;

(d) any household furniture left outside on the *Premises* that is not intended for outdoor use;

(e) any loose litter, garbage, waste or refuse whether located in a storage area, collection area, in containers or *Structures* not designed for collection of waste, or spread or stored elsewhere on the land;

(f) one or more *Derelict Vehicles* on the *Premises*, regardless of whether such vehicle is insured or registered or not;

(g) one or more trailer on the *Premises* that is being used to store an accumulation of materials as per subsection (a) or (b), unless such trailer is covered with a secured tarp;

(h) yard waste, including grass, tree and hedge cuttings, excluding *Composting* piles that are in compliance with requirements in this Bylaw;

(i) animal remains, animal feces, or any material likely to attract pests or cause odours;

(j) unkempt grass or *Herbaceous Plants* higher than 15 centimeters, including vegetation on the boulevard that lies directly between the boundary of the Premises and any adjacent highway, roadway, or alley;
(34M2023, 2023 July 04)
(27M2026, 2026 July 29)

(k) production of excessive dust, smoke or other airborne matter;

(l) production of any generally offensive odours; or

(m) any accessible excavation, ditch, or standing water that could pose a danger to public safety or negatively impacts surrounding properties.

Parking in Front Yard

8. Within a *Residential Development*, a *Person* must not park, or allow to be parked, a motor vehicle or *Recreational Vehicle* in front of a house on a *Premises* in a location other than:

(a) a driveway; or

(b) a parking stall;

that is hard surfaced. For clarity, a *Person* must not park, or allow to be parked, a motor vehicle or *Recreational Vehicle* on a front lawn or the landscaped area in front of a house.

Time Restrictions on Recreational Vehicle Parking

9.1 (1) Within a *Residential Development*, an owner or occupier of a *Premises* must not park, or allow to be parked, a *Recreational Vehicle* on a front driveway or front parking stall at any point in time on more than 3 consecutive days between April 1 and October 31 of each year.

(2) Within a *Residential Development*, an owner or occupier of a *Premises* must not park, or allow to be parked, a *Recreational Vehicle* on a front driveway or front parking stall at any point in time between November 1 and March 31 of each year.

(3) Where a *Recreational Vehicle* has been parked on a front driveway or front parking stall of a *Premises* at any point in time for 3 consecutive days pursuant to subsection (1) above, an owner or occupier of that *Premises* must ensure the *Recreational Vehicle* is subsequently removed from the front driveway or front parking stall for at least 48 consecutive hours.

(4) Subsections (1), (2) and (3) above do not apply to an owner or occupier of a *Premises* that holds a valid and subsisting development permit allowing for a *Recreational Vehicle* to be parked on that *Premises*.

(51M2024, 2025 April 01)

Recreational Vehicle Setback

9.2 (1) An owner or occupier of a *Premises* must not park, or allow to be parked, a *Recreational Vehicle* in front of a house on the *Premises*, where any portion of that *Recreational Vehicle* is within 1.0 meters of the sidewalk.

(2) For the purposes of subsection (1) above:

(a) the starting point of the sidewalk is the edge of the sidewalk that is farthest from the street (interior edge);

(b) the term “sidewalk” includes a curb separating a *Premises* and a street where no sidewalk is present; and

(c) the phrase “any portion of a *Recreational Vehicle*” includes any affixed hitch or rack that extends outwards from the front or back of the *Recreational Vehicle.*

(51M2024, 2025 April 01)

Corner Visibility Restriction

9.3 (1) An owner or occupier of a *Premises* must not park, or allow to be parked, a *Recreational Vehicle* on the *Premises* within a corner visibility triangle at any time.

(2) For the purposes of subsection (a) above, a “corner visibility triangle” means any portion of a *Premises* that is within a triangular area formed on a corner parcel by the two curb lines adjoining an intersection (including a lane intersection) and two points located 7.5 metres from the corner where such curb lines meet.

(51M2024, 2025 April 01)

Trailer Parking

10. Within a *Residential Development*, a *Person* must not park, or allow to be parked, a trailer in front of a house on a *Premises*, except when the trailer is being actively loaded or unloaded.

Refrigerator / Freezers Outside

11. (1) Despite section 7(2)(c), a refrigerator or freezer that is in use may be left outside on a *Premises* provided that the owner or occupier of the *Premises* complies with subsection (2).

(2) No owner or occupier of a *Premises* shall allow a refrigerator or freezer to remain outside on a *Premises* unless that appliance remains locked at all times with a padlock and key or similar device.

General Prohibition

12. Except for a fire which is allowed by the Fire Operation and Fees Bylaw 55M2014, or another bylaw, no *Person* shall burn, or allow to be burned, a fire on a *Premises* that does not comply with the requirements of this Bylaw.

All Fires Must be Supervised

13. Every *Person* who builds, ignites or allows a fire on a *Premises* must ensure that the fire is not left unsupervised at any time.

Restrictions Applying to All Fires Allowed Pursuant to This Bylaw

14. (1) No *Person* shall burn, at any time, on any *Premises*, the following materials:

(a) treated or painted lumber;

(b) lumber products containing glue or resin;

(c) wet or unseasoned wood;

(d) leaves, brush or yard waste;

(e) garbage;

(f) rubber, tires or plastic; or

(g) any animal carcass or part thereof.

(2) No *Person* shall ignite or allow an outdoor fire to burn on a *Premises*:

(a) between midnight (12:00 a.m.) and ten o'clock a.m. (10:00 a.m.) on any day from Monday to Friday; or

(b) between one o'clock a.m. (1:00 a.m.) and ten o'clock a.m. (10:00 a.m.) on a Saturday or Sunday.

Fires in Fire Places

15. A *Person* may build, ignite or allow a fire on a *Premises* in a *Fire Place*, as long as that *Person* complies with sections 13 and 14 of this Bylaw.

Fires in Firepits

16. (1) A *Person* may build, ignite, or allow a fire on a *Premises* in a *Fire Pit* as long as that *Person* ensures that the fire is contained in a *Fire Pit* that:

(a) is constructed of non-combustible material;

(b) has an open flame area that does not exceed 1 metre at its widest point;

(c) does not have walls which exceed 0.75 metres in height measured from the floor of the *Fire Pit* to the top of the wall of the *Fire Pit* excluding any chimney;

(d) is set upon or built into the bare ground or a non-combustible material such as brick or stone;

(e) is situated at least 2 metres from any house, garage or similar *Structure* including wooden decks, porches and similar amenity space attached to a *Structure* measured from the part of the *Fire Pit* which is closest to the *Structure* or amenity space;

(f) is situated at least 2 metres from any other combustible material measured from the part of the *Fire Pit* which is closest to the combustible material;

(g) is not located directly under any tree or overhanging branches; and

(h) is covered with a non-combustible mesh screen with openings no greater than 1.24 cm across, for *Fire Pits* in which wood is burned.

(2) Notwithstanding subsection 16(1)(e), a *Person* may build, ignite or allow a fire in a *Portable Fire Receptacle* on a wooden deck as long as that *Person* ensures that:

(a) a non-combustible material such as brick or stone is placed between the *Portable Fire Receptacle* and the wooden deck; and

(b) the *Portable Fire Receptacle* is situated at least 2 metres from any house, garage, similar *Structure* or other combustible material, measured from the part of the receptacle which is closest to the *Structure* or combustible material.

(3) Every *Person* who builds, ignites or allows a fire in a *Fire Pit* must ensure that:

(b) a means of extinguishing the fire is kept on hand at all times while the fire is burning;

(c) the flames from the fire do not exceed 1 metre in height at any time; and

(d) the fire is extinguished completely, leaving only cold ashes, prior to leaving the fire.

Powers of The Fire Department

17. If in the sole opinion of a member of the Fire Department, a fire poses a danger or does not comply with the requirements of this Bylaw, a member of the Fire Department may extinguish the fire and take any other steps that member of the Fire Department deems necessary to ensure that the fire and site of the fire no longer pose a danger.

Powers of the Fire Chief

18. (1) Notwithstanding any other provision in this Bylaw, the *Fire Chief* may issue an order that prohibits a *Person* from building or igniting a fire in a *Fire Pit* or *Portable Fire Receptacle* on a *Premises*.

(2) No *Person* shall contravene an order of the *Fire Chief* that prohibits building or igniting a fire in a *Fire Pit* or *Portable Fire Receptacle*.

(3) The *Fire Chief* may withdraw an order issued under subsection (1).

PART 5 – GRAFFITI PREVENTION AND ABATEMENT

19. (1) No *Person* shall create or apply *Graffiti* on or to any

(a) *Premises*,

(b) *Structure*, or

(c) Other property which is owned or occupied by another *Person*

unless the *Graffiti* is not in public view and the *Person* who owns or occupies the *Premises*, *Structure* or other property to which the *Graffiti* has been created or applied has given prior written approval for the creation or application of the *Graffiti*.

(2) Every owner or occupier of a *Premises* shall ensure that *Graffiti* placed on their *Premises* is removed, painted over, or otherwise blocked from public view.

(3) Subsections (1) and (2) do not apply to a sign, as defined in the Land Use Bylaw 1P2007, as amended, for which a development permit has been issued.

PART 6 – CHARITY COLLECTION SITES

20. (1) No *Person* shall dump or deposit household garbage or other waste at a *Charity Collection Site*.

(2) No *Person* shall scavenge from or disturb any material, bag or box in or at a *Charity Collection Site*, whether or not that material, bag or box is contained in a receptacle or resting upon the ground.

PART 7 – REGULATION OF COMPOSTING

Prohibitions

21. (1) No owner or occupier of a *Premises* shall place or allow to be placed cat feces, dog feces, animal parts or animal meat on an *Open Composting Pile* or in a *Composting* container on the *Premises*.

(2) No owner or occupier of a *Premises* shall allow an *Open Composting Pile* on the *Premises* within ten (10) metres of an adjacent dwelling house, measured from the nearest part of the *Open Composting Pile* to the nearest part of the adjacent dwelling house.

(3) Every owner or occupier who allows a *Composting* container or *Open Composting Pile* to remain on a *Premises* must ensure that it is maintained in such a manner that it does not become a nuisance by:

(a) creating offensive odours; or

(b) attracting pests.

PART 8 – REGULATION OF NOISE

22. This Part does not purport to regulate the cumulative effect of noise created by vehicular traffic on roads, or aeronautical related activities of aircraft or The Calgary Airport Authority.

General Prohibitions and Noise from Vehicles on Premises

23. (1) Except as authorized pursuant to this Bylaw, no *Person* shall make or cause or allow to be made or continued any noise which would disturb or annoy a reasonable person.

(2) Except as authorized pursuant to this Bylaw, no owner or occupier of a *Premises* shall make or cause or allow to be made or continued any noise which emanates from the *Premises* and which would disturb or annoy a reasonable person.

(3) No *Person* shall permit a vehicle located on a *Premises* to emit noise which emanates from that *Premises* and which would disturb or annoy a reasonable person, including noise from excessive engine revving and stereo and amplification equipment in the vehicle.

(4) No owner or occupier of a *Premises* shall permit a vehicle located on the *Premises* to emit noise which emanates from that *Premises* and which would disturb or annoy a reasonable person, including noise from excessive engine revving and stereo and amplification equipment in the vehicle.

Continuous Sound in Residential Developments

24. (1) No *Person* shall cause or permit to be caused a *Continuous Sound* that exceeds the following *Sound Levels*:

(a) 65 decibels (dBA) *Leq* during the *Day-time*; or

(b) 50 decibels (dBA) *Leq* during the *Night-time*;

at any *Point of Reception* within a *Residential Development*.

(2) Notwithstanding subsection (1) and section 33(1)(g), where the *Ambient Sound Level* for an area is at or above the maximum allowable *Sound Level* limits referred to in either subsection (1) above or section 33(1)(g), measured over a 15-minute period, a *Sound Level* must exceed 5 decibels (dBA) *Leq* over the *Ambient Sound Level* before it becomes an offence.

(34M2024, 2024 July 30)

25. (1) In this section, "*Sound Level*" means the sound pressure measured in decibels using the "C" weighted network of a *Sound Level Meter* with fast response.

(2) No *Person* shall operate or permit to be operated an air conditioner, fan, central vacuum system or generator that causes a *Continuous Sound* that exceeds the greater of the following *Sound Levels*:

(a) 70 decibels (dBC) *Leq* measured during the *Day-time*; or

(b) 60 decibels (dBC) *Leq* measured during the *Night-time*;

at any *Point of Reception* within a *Residential Development*.

(3) Notwithstanding subsection (2), where the *Ambient Sound Level* for an area is at or above the maximum allowable *Day-time* or *Night-time Sound Levels* referred to in subsection (2), measured over a 15 minute period, a *Sound Level* must exceed 5 decibels (dBC) *Leq* over the *Ambient Sound Level* before it becomes an offence.

Continuous Sound in the Downtown

26. (1) No *Person* shall cause or permit to be caused a *Continuous Sound* that exceeds the following *Sound Levels*:

(a) 75 decibels (dBA) *Leq* during the *Day-time*; or

(b) 60 decibels (dBA) *Leq* during the *Night-time*;

at any *Point of Reception* within the *Downtown*.

(2) Notwithstanding subsection (1), where the *Ambient Sound Level* for an area is at or above the maximum allowable *Day-time* or *Night-time Sound Levels* referred to in subsection (1), measured over a 15 minute period, a *Sound Level* must exceed 5 decibels (dBA) *Leq* over the *Ambient Sound Level* before it becomes an offence.

(3) Sections 24 and 25 do not apply to a *Residential Development* in the *Downtown*.

Non-Continuous Sound in Residential Developments and Downtown

27. No *Person* shall cause or permit to be caused a *Non-Continuous Sound* that exceeds:

(a) 85 decibels (dBA) *Leq* measured over a period of 15 minutes during the *Day-time*; or

(b) 75 decibels (dBA) *Leq* measured over a period of 15 minutes during the *Night-time*;

at any *Point of Reception* within a *Residential Development* or *Downtown*.

Activities in Residential Developments

28. (1) No *Person* shall operate or use:

(a) a hand lawn mower;

(b) a *Motorized Garden Tool*;

(c) a *Power Tool* outside of any building or *Structure*;

(d) a model aircraft driven by an internal combustion engine of any kind;

(e) a snow clearing device powered by an engine of any kind;

(f) a motorized snow or leaf blowing device; or

(g) a Sports Ramp;

in a *Residential Development* during the *Night-time*.

(2) In subsection (1), *"*Sports Ramp*"* means a *Structure* that is used to provide a surface upon which an individual may use or operate a skateboard, bicycle, roller skates or other similar device.

(3) No *Person* shall load or unload a *Truck*, *Concrete Mixer*, or *Garbage Truck* in a *Residential Development* or within 150 metres of a *Residential Development* during the *Night-time*.

(4) Notwithstanding subsection (3) a *Person* may, at any time, unload a vehicle containing:

(a) fresh fruit, produce and perishable merchandise including milk products and baked goods; or

(b) daily or weekly newspapers being delivered to vendors.

(5) Notwithstanding subsection (3), a *Person* may load a *Garbage Truck* between 6:00 A.M. and 10:00 P.M. on any *Weekday* in the *Downtown*.

(6) A *Person* must not use a *Signalling Device* to promote or advertise the sale of ice cream or any other food stuffs in a *Residential Development* during the *Night-time*.

(7) A *Person* who owns, occupies or controls a *Truck* must not at any time allow it to remain running for longer than 20 minutes when it is stationary in a *Residential Development* or within 150 metres of a *Residential Development*.

Relaxations

29. (1) Despite subsection 28(1)(b), it is not an offence to use a *Motorized Garden Tool* or grass cutting device on a golf course between the hours of 6:00 A.M. and 9:00 A.M. on any day of the week.

(2) Despite subsection 28(1)(e), a *Person* may operate a snow clearing device powered by an engine for the purpose of commercial and non-commercial removal of snow and ice from streets, parking lots and sidewalks during the 48 hour period following a snowfall, rain or freezing rain, subject to the right of the *Director* to withdraw this relaxation on a site-specific basis.

Sound in Non-Residential Developments

30. (1) No *Person* shall cause or permit to be caused a *Continuous Sound* that exceeds the greater of:

(a) 85 decibels (dBA) *Leq* during the *Day-time* or *Night-time*; or

(b) 5 decibels (dBA) *Leq* over the *Ambient Sound Level* during either the *Day-time* or *Night-time*;

at any *Point of Reception* within a *Non-Residential Development*.

(2) No *Person* shall, in a *Non-Residential Development*, cause or permit to be caused a *Non-Continuous Sound* that exceeds 85 decibels (dBA) *Leq* during the *Day-time* or *Night-time* where the *Point of Reception* is within a *Non-Residential Development*.

Outdoor Speaker Systems

31. (1) No *Person* shall operate an *Outdoor Speaker System* on a parcel where a property line of the parcel is within 150 metres of a *Residential Development* during the period beginning at 10:00 P.M. and ending at 7:00 A.M. the following day.

(2) Notwithstanding subsection (1), an *Outdoor Speaker System* must comply with the *Sound Levels* established in this Bylaw.

(3) Notwithstanding subsection (1), for the duration of the Calgary Stampede each year, no *Person* shall operate an *Outdoor Speaker System* on a parcel where a property line of the parcel is within 150 metres of a *Residential Development* during the period beginning at Midnight and ending at 7:00 A.M. each day.

Outdoor Concerts

32. (1) No *Person* shall cause or permit to be caused sound from an outdoor concert whether recorded or live, that exceeds the following:

(a) 65 decibels (dBA) *Leq*; or

(b) 85 decibels (dBC) *Leq*;

at any *Point of Reception* within a *Residential Development.*

(2) Despite subsection (1), where the *Ambient Sound Level* for an area is at or above the maximum allowable *Sound Levels*, measured over a 15 minute period, a *Sound Level* must exceed 5 decibels *Leq* over the *Ambient Sound Level* before it becomes an offence.

Exemptions and Scope

33. (1) The provisions of this Part do not apply to:

(a) emergency vehicles;

(b) *Construction* in *Residential Developments* during the *Day-time*, whether or not the *Construction* requires any *City* permits;

(c) the use of *Motorized Garden Tools* in *Residential Developments* where:

(i) the *Sound Level* does not exceed 75 decibels (dBA) *Leq* measured over a one (1) hour period; and

(ii) the tool is used during the *Day-time* and for less than 3 hours during any given day;

(d) work on a *City* street or on a public utility carried out by the owner or operator of the public utility, or its contractors;

(e) the activities of The Calgary Exhibition and Stampede Ltd. during the period of the Stampede;

(f) any activity within the sole jurisdiction of the Government of Canada or the Province of Alberta; or

(g) activities held inside the *Event Centre* where the *Sound Level* does not exceed 64 decibels (dBA) *Leq* at any *Point of Reception* within a *Residential Development* between the hours of 10:00 p.m. and 11:59 p.m.
(34M2024, 2024 July 30)

(2) Notwithstanding subsection (1), the *Director* may apply any other provision of this Part to subsections (1)(b) through (e) on a site-specific basis in the *Director's* sole discretion.

(3) The provisions contained in this Part shall not be interpreted to prevent:

(a) the ringing of bells in churches, religious establishments and schools;

(b) the sounding of any alarm or warning to announce a fire or other emergency;

(c) the playing of a band in connection with a parade allowed pursuant to any *City* bylaw; or

(d) the use of *Signalling Devices* on vehicles in their normal operation for the purpose of giving warnings to other vehicles or persons.

Permits

34. (1) A *Person* may make a written application to the *Director* for a temporary permit allowing for noise or *Sound Levels* that would otherwise violate this Bylaw.

(2) Any application made pursuant to subsection (1) above must be made at least 5 business days prior to the proposed activity and must contain the following information pertaining to the work or activity for which the exemption is sought:

(a) the name, address and telephone number of the applicant;

(b) the address of the site;

(c) the building permit number (if applicable);

(d) a description of the source(s) of noise or *Sound Levels*;

(e) the period of time that the exemption is desired;

(f) the applicant's reason(s) why the exemption should be given; and

(g) a statement of the measures that will be taken to minimize the noise or *Sound Levels*.

(3) The *Director* may, in the *Director's* sole discretion:

(a) waive any requirement of this section;

(b) issue the temporary permit, where the *Director* determines that circumstances make it impractical for the applicant to comply with this Bylaw;

(c) revoke any temporary permit that has been issued, where the *Director* determines that the applicant has not taken sufficient measures to minimize the noise or *Sound Levels*; or

(d) impose any conditions on the issuance or use of the permit that the *Director* considers appropriate.

PART 9 – NUISANCES ESCAPING PROPERTY

Water, Eavestroughs and Downspouts

35. (1) No owner or occupier of a *Premises* shall allow a flow of water from a hose or similar device on the *Premises* to be directed towards an adjacent *Premises* if it is likely that the water from the hose or similar device will enter the adjacent *Premises*.

(2) An owner or occupier of a *Premises* shall direct any rainwater downspout or eavestrough on the *Premises* towards:

(a) the front of the *Premises*;

(b) the rear of the *Premises*;

(c) a sideyard which does not abut another *Premises*; or

(d) a sideyard which abuts another *Premises* only if there is a minimum of 6 (six) metres of permeable ground between the outfall of the downspout or eavestrough and the adjacent *Premises*.

Light

36. No owner or occupier of a *Premises* shall allow an outdoor light to shine directly into the living or sleeping areas of another dwelling house unless the outdoor light is permitted or required pursuant to the Land Use Bylaw 1P2007, a development permit or a similar approval.

Flyers and Debris

37. (1) An owner or occupier of a *Premises* shall ensure that articles such as papers, *Flyers* and loose debris are collected and contained on the *Premises* so that they do not escape onto adjacent or other neighboring properties.

(2) An owner or occupier of a *Premises* is responsible for papers and *Flyers* on their *Premises* regardless of whether they solicited for the delivery of these papers or *Flyers*.

(3) No *Person* shall deposit a *Flyer* at or on a *Premises* where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such *Flyers* are not wanted.

(4) No *Distributor* shall distribute or cause to be distributed *Flyers* for the purpose of depositing them at or on a *Premises* where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such *Flyers* are not wanted.

(5) Subsections (3) and (4) do not apply to:

(a) any election advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial or municipal legislation;

(b) newspapers delivered to paid subscribers;

(c) community association newsletters or newspapers;

(d) information circulars produced by a federal, provincial or municipal government or an agency of such government;

(e) information circulars produced by a member of Calgary City Council, a member of the Alberta Legislative Assembly or a member of the federal Parliament.

(6) No *Person* or *Distributor* shall deposit or distribute a *Flyer* with a *Graphic Image* at or on a *Premises* unless:

(a) the *Graphic Image* is contained in a sealed opaque envelope;

(b) the exterior of the envelope contains the following legible warning:

"Contains a Graphic Image that may be offensive or disturbing";

and

(c) the exterior of the envelope clearly identifies the sender and the sender's address.

PART 10 – WEEDS AND PESTS

Interpretation

38. (1) The definitions found in the *Weed Control Act,* S.A. 2008, c. W-5.1 shall apply to this Part.

(2) Nothing in this Part relieves a *Person* from complying with the *Weed Control Act*, or the Weed Control Regulation, AR 19/2010.

(3) Pursuant to section 26 of the *Weed Control Act,* for the purposes of the *Act* a *Person* is the owner or occupant of the highway to the highway's midpoint to the extent that the *Person* is the owner or occupier of the land that borders the highway.

Inspectors

39. The *Chief Administrative Officer* may appoint:

(a) Weed Inspectors pursuant to subsection 7(1) of the *Weed Control Act* to enforce the *Act;* and

(b) Agricultural Pest Inspectors pursuant to subsection 9(1) of the *Agricultural Pests Act*, R.S.A. 2000, c. A-8, to enforce that Act.

(45M2023, 2023 October 17)

Fire Hazards

40. If in the opinion of a Weed Inspector or a member of the Fire Department, the grass or any other vegetation on a *Premises* poses a fire hazard, a Weed Inspector may issue a *Remedial Order* to modify the vegetation on the *Premises* to abate the hazard, and the *Remedial Order* shall include the manner in which the fire hazard may be abated.

PART 11 – MAINTENANCE OF BUILDINGS, STRUCTURES AND FENCES

Obligation to Maintain

41. (1) Every owner or occupier of a *Premises* shall ensure the following are maintained in Good Repair:

(a) *Fences* and their structural members;

(b) *Structures* and their structural members, including:

(i) Foundations and foundation walls;

(ii) Exterior walls and their components;

(iii) Roofs;

(iv) Windows and their casings;

(v) Doors and their frames;

(c) Protective or decorative finishes of all exterior surfaces of a *Structure* or *Fence*; and

(d) Exterior stairs, landings, porches, balconies and decks.

(2) For greater certainty, Good Repair means a condition where something is free from:

(a) broken, missing, or fallen parts;

(b) rot or other significant deterioration; or

(c) openings which are not secured against trespassers or infiltration or air and precipitation.

PART 12 – ADDRESSING

42. (1) The owner or occupier of a *Premises* on which a dwelling unit has been erected shall display the number assigned to the property pursuant to Bylaw 67M86, the Addressing Bylaw, at a location plainly visible from the street in front of the *Premises* to which the property is addressed.

(2) The owner or occupier of a *Premises* on which a dwelling unit has been erected that has access to a *Lane* shall display the number assigned to the property pursuant to Bylaw 67M86, the Addressing Bylaw, at a location plainly visible from the *Lane*.

PART 13 – CONSEQUENTIAL AMENDMENTS

43. (1) Upon the coming into force of this Bylaw, Bylaw 5M2004 is repealed.

(2) The Stormwater Bylaw 37M2005, as amended, is hereby further amended by deleting the words “and in accordance with Part 2 of The City of Calgary Community Standards Bylaw Number 5M2004,” in section 18(1).

(3) The Water Utility Bylaw 40M2006, as amended, is hereby further amended by:

(a) deleting the words ", and in accordance with the provisions of Section 2 of Bylaw 5M2004, The Community Standards Bylaw" in section 2(1)(ee);

(b) deleting the words "and in accordance with Part 2 of The City of Calgary Community Standards Bylaw Number 5M2004," in section 46(1);

(c) deleting the words "must be issued in accordance with the provisions of Section 2 of Bylaw 5M2004" in section 46(2) and substituting:

"may be served in accordance with the provisions of Part II of Bylaw 32M2023"; and

(d) deleting section 46(3).

(4) The Licence and Community Standards Appeal Board Bylaw 50M2011, as amended, is hereby further amended by deleting the bylaw number "5M2004" in section 2 and substituting:

"32M2023".

(5) The Building Maintenance Bylaw 33M2016, as amended, is hereby further amended by deleting the bylaw number "5M2004" in section 14(2) and substituting:

"32M2023".

(6) The Parks and Pathways Bylaw 11M2019, as amended, is hereby further amended by:

(a) deleting the words "Despite section 19 of the Community Standards Bylaw 5M2004" in section 8(3) and substituting:

"Despite section 19 of the Community Standards Bylaw 32M2023"; and

(b) deleting the bylaw number "5M2004" in section 36(2) and substituting:

"32M2023".

PART 14 – COMING INTO FORCE

44. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON JULY 04, 2023

READ A SECOND TIME, AS AMENDED, ON JULY 04, 2023

READ A THIRD TIME, AS AMENDED, ON JULY 04, 2023

(Sdg.) J. Gondek
MAYOR

(Sgd.) K. Martin
CITY CLERK

SCHEDULE "A"

SPECIFIED AND MINIMUM PENALITIES

SECTION	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
2 (3)	Failure to Comply with Remedial Order	$250	$500
7(1)	Cause or Permit Nuisance on Premises	$200	$500
8	Improper parking in front of house	$200	$400
9.1(1)	Recreational Vehicle parked on Premises in front of house for longer than 3 days during summer months	$200	$400
9.1(2)	Recreational Vehicle parked on Premises in front of house during winter months	$200	$400
9.1(3)	Recreational Vehicle not removed for a minimum of 48 hours	$200	$400
9.2(1)	Recreational Vehicle parked too close to sidewalk or curb	$200	$400
9.3(1)	Recreational Vehicle parked within corner visibility triangle	$200	$400
10	Trailer parked on Premises in front of house	$200	$400
11(2)	Refrigerator or Freezer Improperly Stored	$200	$500
12	Prohibited or Non-Compliant Fire	$375	$750
13	Unsupervised Fire	$375	$750
14(1)	Burn Prohibited Materials	$375	$750
14(2)	Outdoor fire when prohibited	$375	$750
18(2)	Contravene order of Fire Chief that prohibits building or igniting a fire in a Fire Pit or Portable Fire Receptacle on a Premises	$1,000	$2,500
	"Young Person" (as defined in the *Youth Justice Act*, R.S.A. 2000, c. Y-1, as amended) contravening an order of the Fire Chief that prohibits building or igniting a fire in a Fire Pit or Portable Fire Receptacle on a Premises	$500	$1,000
19(1)	Person applying Graffiti	$2,500	$5,000

SECTION	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
	"Young Person" (as defined in the *Youth Justice Act*, R.S.A. 2000, c. Y-1, as amended) applying Graffiti	$500	$1,000
19(2)	Failure to remove Graffiti	$50	$150
20	Dump or Scavenge at Charity Collection Site	$125	$250
21	Improper Composting	$200	$500
23	Noise which disturbs a Person	$125	$250
24(1)	Continuous Sound in excess of prescribed Sound Level	$125	$250
25(2)	Continuous Sound in excess of prescribed Sound Level	$125	$250
26(1)	Continuous Sound in excess of prescribed Sound Level	$125	$250
27	Non-Continuous Sound in excess of prescribed Sound Level	$125	$250
28(1)	Operate prohibited equipment or device during Night-time	$125	$250
28(3)	Load Truck during Night-time	$125	$250
28(6)	Use Signalling Device during Night-time	$125	$250
28(7)	Idle Truck more than 20 minutes in Residential Development	$150	$300
30(1)	Continuous Sound in excess of prescribed Sound Level	$125	$250
30(2)	Non-Continuous Sound in excess of prescribed Sound Level	$125	$250
31(1)&(3)	Operate Outdoor Speakers when prohibited	$250	$500
32(1)	Outdoor concert in excess of prescribed Sound Level	$250	$500
35(1)	Direct water flow to adjoining Premises	$100	$300

SECTION	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
36	Light directed to adjacent dwelling house	$100	$300
37(1)	Flyers/Debris escaping Premises	$100	$300
37(3)	Deposit Flyer contrary to sign	$50	$100
37(4)	Distribute Flyer contrary to sign	$100	$300
37(6)(a)	Deposit or distribute a Graphic Image not contained in a sealed opaque envelope	$500	$1000
37(6)(b)	Deposit or distribute a Graphic Image without the legible warning	$500	$1000
37(6)(c)	Deposit or distribute a Graphic Image without identifying the sender and sender’s address	$500	$1000
41(1)	Structure not in Good Repair	$100	$300
42(1)	Improper address or failure to address front of property facing street	$100	$300
42(2)	Improper address or failure to address the rear of property adjacent to Lane	$100	$300

(51M2024, 2025 April 01)