



City of Chestermere
PROVINCE OF ALBERTA

Bylaw #039-25

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Municipal Tag Enabling Bylaw

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A BYLAW OF THE CITY OF CHESTERMERE, IN THE PROVINCE OF ALBERTA TO ALLOW FOR THE USE OF MUNICIPAL TAGS AND A DIVERSION ALTERNATIVE FOR BYLAW OFFENCES WITHIN THE CITY OF CHESTERMERE.

WHEREAS the *Municipal Government Act, R.S.A. 2000, c. M-26* authorizes a municipality to pass Bylaws respecting penalties for offences established by Bylaw;

AND WHEREAS the *Municipal Government Act, R.S.A. 2000, c. M-26* authorizes a municipality to pass Bylaws establishing that a Person in contravention of a Bylaw may pay an amount established by Bylaw and if the amount is paid the person will not be prosecuted for the contravention;

AND WHEREAS it is desirable to allow for the resolution of Bylaw contraventions directly with the City;

NOW, THEREFORE THE COUNCIL OF THE CITY OF CHESTERMERE, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. TITLE

1.1 This Bylaw may be cited as the “Municipal Tag Enabling Bylaw”.

2. DEFINITIONS

2.1 “**Chief Administrative Officer**” or “**CAO**” means the Chief Administrative Officer of the City of Chestermere, Alberta appointed by Council, or their designate pursuant to the *Municipal Government Act, R.S.A. 2000, c.M-26*;

2.2 “**City**” means the municipal corporation of the City of Chestermere, in the Province of Alberta, or the area within the City of Chestermere’s corporate limits, as the context requires;

2.3 “**City Bylaw**” means any Bylaw of the City;

2.4 “**Council**” means the duly elected Mayor, and Councillors of the City of Chestermere;

2.5 “**Highway**” means the same as defined in the *Traffic Safety Act, R.S.A. 2000, c. T-6*, as amended, or replaced from time to time;

2.6 “**Long Form Information**” means a long form charging document, completed by a Peace Officer and sworn before the Alberta Court of Justice, pursuant to the *Criminal Code of Canada Act (R.S.C., 1985 c.C-46)* as amended, replaced or adopted by other legislation from time to time;

- 2.7 “Motor Vehicle”** means the same as defined in the *Traffic Safety Act, R.S.A. 2000, c. T-6*, as amended or replaced from time to time;
- 2.8 “Municipal Tag”** means a document alleging a contravention of a City Bylaw, pursuant to the authority of this Bylaw;
- 2.9 “Peace Officer”** means a member of the Royal Canadian Mounted Police, a member of the Police of Jurisdiction, a Peace Officer as defined in the *Peace Officer Act, SA 2006, c. P-3.5* and the regulations thereof, as amended or replaced from time to time and a Bylaw Enforcement Officer as defined in the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended from time to time;
- 2.10 “Person”** means an individual or any business entity including an association, company, corporation, firm, partnership, or society, and includes the registered owner of a Premises under the *Land Titles Act, R.S.A. 2000, c. L-4*, as amended or replaced from time to time, and also includes the Registered Owner of a Motor Vehicle found in contravention of a City Bylaw;
- 2.11 “Premises”** means 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;
- 2.12 “Remedial Order”** means an order issued pursuant to *Section 545* of the *Municipal Government Act, R.S.A. 2000, c. M-26* to require a Person responsible for a contravention of a Bylaw to remedy the contravention;
- 2.13 “Vehicle”** means a device in, on or by which a person or thing may be transported or drawn on a Highway and includes a combination of vehicle types; and
- 2.14 “Violation Ticket”** means a summons violation ticket issued under *Part 2* or *Part 3* of the *Provincial Offences Procedures Act, R.S.A. 2000, c. P-34*, as amended.

3. APPLICATION

- 3.1** Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other Bylaw or any requirement of any lawful permit, order, or license.
- 3.2** Any heading, sub-heading, or table of contents in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- 3.3** All the schedules attached to this Bylaw shall form a part of this Bylaw.
- 3.4** This Bylaw is gender neutral.
- 3.5** A copy of a record of the City, certified by a designated officer as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.
- 3.6** This Bylaw shall authorize the use of Municipal Tags for any current and future City Bylaw as an Alternative where a Peace Officer may otherwise issue a Remedial order, Violation Ticket or lay a Long Form Information.
- 3.7** Nothing in this Bylaw shall be interpreted to prevent a Peace Officer from issuing a Remedial Order, a Violation ticket or laying a Long Form Information where a properly issued Municipal Tag goes unpaid.

4. OFFENCES

- 4.1** No Person shall interfere with or prevent a Peace Officer from serving a Municipal Tag, in accordance with Section 5.2, alleging a contravention of a City Bylaw.
- 4.2** No person shall remove a Municipal Tag placed by a Peace Officer.
- 4.3** Despite Section 4.2, a Person to whom the Municipal Tag is directed may remove the Municipal Tag.
- 4.4** No Person shall obstruct a Peace Officer investigating a complaint made under or exercising their authority pursuant to this Bylaw.

5. REGULATIONS

- 5.1** A Peace Officer may issue a Municipal Tag to any Person, where the Peace Officer has reasonable grounds to believe that a Person has contravened a provision of a City Bylaw.
- 5.2** A Peace Officer may issue a Municipal Tag to:
- a. a Person, service of which shall be to the Person on the Municipal Tag or at the primary common entrance at the Persons residence of record;
 - b. a Premises, service of which shall be to the primary common entrance of the premises; or
 - c. a Motor Vehicle, service of which shall be placement of the Municipal Tag on the vehicle.
- 5.3** If a Peace Officer issues a Municipal Tag with respect to a contravention, the Municipal Tag must specify:
- a. the name of the Person, the address of the Premises or the license plate of the Motor Vehicle;
 - b. the applicable Bylaw number;
 - c. the Specified Penalty, as prescribed by the applicable Bylaw;
 - d. the Minimum Penalty, as prescribed by the applicable Bylaw, if the Municipal Tag is paid within fourteen (14) days of issuance;
 - e. the offence;
 - f. the due date for the Specified Penalty, which will be within twenty-eight (28) days of the issuance of the Municipal Tag;
 - g. the offence date;
 - h. the offence time;
 - i. any relevant and available vehicle descriptors;
 - j. the name and Regimental Number of the issuing Peace Officer;
 - k. that failing to pay the Municipal Tag may result in the laying of a Provincial Charge; and
 - l. any other information as may be required on either the face or reverse of the Municipal Tag to facilitate payment.
- 5.4** Where a Municipal Tag is issued in respect of a contravention of a City Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the contravention, pay the fine specified within the time period indicated on the Municipal Tag.
- 5.5** A Person who pays either the minimum penalty or specified penalty shown on the face of a Municipal Tag, as applicable based on the timelines laid out in Section 5.3, shall not be prosecuted in the Alberta Court of Justice for that same alleged offence.

- 5.6 No Peace Officer shall prosecute a person who has paid a Municipal Tag, by either Violation Ticket or Information, for the same offence alleged on the face of the Municipal Tag.
- 5.7 The City shall keep record of a Municipal Tag for a period of not less than seven years in accordance with Bylaw #015-25 being the Records Retention and Disposition Bylaw.

6. REMEDIAL ORDERS

- 6.1 A Remedial Order may be issued to order compliance with the provisions of this Bylaw.
- 6.2 Every Remedial Order written with respect to this Bylaw shall:
 - a. indicate the Person to whom it is directed;
 - b. identify the Premises to which the Remedial Order relates by municipal address or legal description;
 - c. identify the date that it is issued;
 - d. identify how the Person or fails to comply with this or another Bylaw;
 - e. identify the specific provisions of the Bylaw the Person contravenes;
 - f. identify the nature of the remedial action required to be taken to bring the Person into compliance;
 - g. identify the time within which the remedial action must be completed;
 - h. indicate that if the required remedial action is not completed within the time specified, the City may take whatever action or measures are necessary to remedy the contravention;
 - i. indicate that the expenses and costs of any action or measures taken by the City under this Section are an amount owing to the City by the Person to whom the Remedial Order is directed;
 - j. indicate that the expenses and costs referred to in this Section may be attached to the tax roll of the property if such costs are not paid by a specified time; and
 - k. indicate that a Person to whom a Remedial Order is directed may seek a review of the order by filing a request for review in writing with the City in accordance with Section 547 of the *Municipal Government Act, R.S.A. 2000, c. M-26*.
- 6.3 A Remedial Order written pursuant to this Bylaw shall be served on the Owner by:
 - a. delivering the Remedial Order personally to the Person named in the order;
 - b. leaving the Remedial Order at the residence of the named Person with a Person who is at least 18 years of age;
 - c. posting the Remedial Order in a conspicuous place on the premises

known or declared to be the residence of the named Person. The Remedial Order shall be deemed to be served 7 days after the Remedial Order is posted;

- d. sending the Remedial Order registered mail to the last known address of the Owner, and the Remedial Order shall be deemed to be served upon confirmation of receipt or refusal of the registered mail; or
- e. sending the Remedial Order regular mail to the last known address of the Owner, and the Remedial Order shall be deemed to be served 7 days after the date of mailing.

6.4 No Person shall fail to comply with a Remedial Order issued under this Bylaw.

7. APPEAL OF REMEDIAL ORDERS

- 7.1** A Person to whom a Remedial Order is directed may seek a review of the order by filing a request for review in writing with the City in accordance with Section 547 of the *Municipal Government Act, R.S.A. 2000, c. M-26* and paying a \$100.00 administrative fee.
- 7.2** A review requested pursuant to this Section must state the name of the appellant, the municipal address of the property to which the Remedial Order being appealed from relates, a daytime telephone contact number at which the appellant may be reached, and an address at which documents in relation to the appeal may be delivered.
- 7.3** Upon review of the order, Council may confirm, vary, substitute, or cancel the Remedial Order.
- 7.4** Council may direct City Administration to provide their decision verbally and in writing to the appellant.
- 7.5** The CAO may serve the decision to the appellant in the same manner as a Remedial Order in Section 6.2.
- 7.6** If a request for review of a Remedial Order is received after the applicable deadline, no review will be scheduled, and the appellant will be informed of such.

8. PENALTIES

- 8.1 Any Person who contravenes any of the provisions of this Bylaw by doing any act or thing which the Person is prohibited from doing is guilty of an offence.
- 8.2 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 and, in default of payment, to imprisonment for not more than one year.
- 8.3 Where there is a specified penalty listed for an offence in schedule "A" of this Bylaw, that amount is the specified penalty for the offence.
- 8.4 Where there is a minimum penalty listed for an offence in schedule "A" of this Bylaw, that amount is the minimum penalty for the offence.
- 8.5 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 within a 24-month period shall be twice the amount of the specified penalty found in schedule "A".
- 8.6 If a Person is convicted a third time of the same provision of this Bylaw within a 24-month period, the minimum penalty for the third conviction within a 24-month period shall be three times the amount of the specified penalty found in Schedule "A" but not more than \$10,000.00 dollars.
- 8.7 No Person shall fail to comply with or fail to do anything that a Person is required to do pursuant to the provisions of this Bylaw.

9. VIOLATION TICKETS

- 9.1 Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, they may commence proceedings by issuing a Violation Ticket in accordance with the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*.
- 9.2 This Section shall not prevent any Officer from issuing a Violation Ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*, or from laying a Long Form Information instead of issuing a Violation Ticket.

10. INVESTIGATION OF COMPLAINTS

- 10.1** A Peace Officer may, at their discretion, refuse to investigate or take any action on a complaint if the Officer believes that:
- a.** the complaint is frivolous, vexatious, without merit or not in the public interest;
 - b.** the complaint falls outside the scope of this Bylaw;
 - c.** the complaint is not supported by evidence or information; or
 - d.** the complaint is more appropriately dealt with by another authority or agency.
- 10.2** A Peace Officer who refuses to investigate or take any action on a complaint under this Section shall not be held liable for any damages or losses arising from the refusal, unless appealed, unless otherwise provided by law.
- 10.3** Nothing in this Section shall limit or affect the right of any Person to seek redress or relief through any other legal or administrative process.

11. SEVERABILITY

- 11.1** If any Sections or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.
- 11.2** This Bylaw shall come into full force and effect upon the date of the third and final reading.

READ A FIRST TIME: September 23, 2025

READ A SECOND TIME: September 23, 2025

**MOVED TO THIRD AND FINAL READING OF BYLAW #039-25, BEING THE MUNICIPAL
TAG ENABLING BYLAW: UNANIMOUSLY**

READ A THIRD TIME: September 23, 2025

RESOLUTION NUMBERS:

250923-21

250923-22

250923-23

250923-24



Mayor, Shannon Dean



Chief Administrative Officer, Kent Edney

SCHEDULE "A"

Section	Offence	Minimum Penalty	Specified Penalty
4.1	Interfere with or prevent the placing of a Municipal Tag	\$150.00	\$300.00
4.2	Remove Municipal Tag	\$150.00	\$300.00
4.4	Obstructing a Peace Officer	\$250.00	\$500.00
5.6	Peace Officer Prosecute Person who has paid a Municipal Tag	\$250.00	\$500.00
6.4	Failing to comply with a Remedial Order	\$1500.00	\$2500.00
8.7	Failing to comply with provision of Bylaw	\$50.00	\$100.00