

**CORPORATION OF THE VILLAGE OF BARNWELL
IN THE PROVINCE OF ALBERTA**

Bylaw No. 04-18

WHEREAS the Village of Barnwell is required by Section 556 of the Municipal Government Act, R.S.A. 2000C M-26, to appoint Bylaw Enforcement Officers;

AND WHEREAS the Village of Barnwell is required by Section 556 of the Municipal Government Act, R.S.A. 2000C M-26 to specify by bylaw the powers and duties of Bylaw Enforcement Officers and to establish by bylaw disciplinary procedures in respect to Bylaw Enforcement Officers;

NOW THEREFORE the Council of the Village of Barnwell, duly assembled, enacts as follows:

1. TITLE

This Bylaw may be referred to as the "Bylaw Enforcement Officer Bylaw".

2. INTERPRETATION

a) In this Bylaw, the following words have the following meanings:

- i) "Administrator" means the person appointed by the Council of the Village of Barnwell in accordance with Municipal Bylaws and the Municipal Government Act as amended or replaced.
- ii) "Bylaw Officer" means a person appointed as a Bylaw Officer by Resolution of Council and who are authorized to enforce the bylaws of the Village of Barnwell.
- iii) "Bylaw" means any Bylaw adopted by the Council of the Village of Barnwell which provides for enforcement provisions including violation tags, violation tickets or enforcement orders.
- iv) "Council" means the Municipal Council of the Village of Barnwell
- v) "Municipality" means the Village of Barnwell

b) Wherever the singular or masculine are used, the plural and feminine should also be inferred where appropriate.

3. APPOINTMENT

- a) The Administrator may from time to time appoint one or more persons as a Bylaw Officers and one or more persons as the officer in charge.
- b) Any person appointed as Bylaw Officer holds term of office at the pleasure of the Administrator.
- c) The jurisdictional boundaries of a Bylaw Officer shall be the territorial boundaries of the Village of Barnwell.
- d) The Bylaw Officer is accountable to the Administrator.

4. OATH

The Bylaw Officer shall take the official oath prescribed by the Oaths of Office Act, attached as Schedule A, before starting his duties.

5. DUTIES

- a) The duties of the Bylaw Officer are as follows:
 - i) to provide the Municipality administrative guidance with respect to all aspects of bylaw enforcement matters in the Municipality;
 - ii) to ensure that the Village of Barnwell Bylaws are enforced;
 - iii) to perform such duties as authorized as an inspector and as an investigator so designated by Alberta Environmental Protection;
 - iv) to cooperate fully with other enforcement agencies such as the RCMP and the Provincial police force, and pass on any information that may assist them with matters under their jurisdiction;
 - v) to respond to and investigate complaints related to municipal bylaws and other matters specified by municipal bylaw and the Administrator;
 - vi) to perform other duties as required by bylaw or by resolution of Council and as assigned by the Administrator.
 - viii) The Bylaw Officer shall comply with all Village of Barnwell policies and procedures and the duties prescribed by virtue of their appointment as a Bylaw Officer.

6. DISCIPLINARY PROCEDURES

- a) The Administrator shall accept all public complaints concerning the conduct of a Bylaw Officer and shall:
 - i) record verbal complaints in writing;
 - ii) acknowledge receipt of the complaint in writing to the complainant and provide a copy to the Bylaw Officer against whom the complaint was made;
 - iii) investigate the complaint or have it investigated;
 - iv) take the following action if satisfied a misconduct may have been committed:
 - a) present the allegations made and the findings of the investigation to the Bylaw Officer;
 - b) provide to the Bylaw Officer a full copy of the complaint and all supporting evidence, giving him a reasonable opportunity to furnish relevant evidence to contradict or explain the facts or allegations;
 - c) after hearing the response and explanation of the Bylaw Officer and any other information the Administrator believes appropriate to determine the facts, either dismiss the complaint as unfounded or as unsubstantiated, or find the Bylaw Officer has committed a misconduct.
- b) Despite 6. a) iv), the Administrator may resolve minor complaints informally, arriving at a solution that is satisfactory to all parties.
- c) If the Administrator finds that the Bylaw Officer has committed a misconduct, he may take one of the following measures:
 - i) warn the Bylaw Officer;
 - ii) reprimand the Bylaw Officer;
 - iii) suspend the Bylaw Officer, for a period not exceeding 48 hours;
 - iv) terminate the employment of the Bylaw Officer.

- d) The Administrator shall notify the complainant and the Bylaw Officer in writing as to the results of the investigation.

READ a first time this 16th day of August, 2018.

READ a second time this 16th day of August, 2018

READ a third time and finally passed this 16th day of August, 2018 ,



Mayor

Chief Administrative Officer

SCHEDULE A

OFFICIAL OATH

I, _____, do swear that I will diligently, faithfully and to the best of my ability, execute according to law, the office of Bylaw Enforcement Officer for the Village of Barnwell, so help me God.

SWORN before me at the _____
Of _____ in the Province of Alberta,
this _____ day of _____ A.D.
20__

} _____
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Justice of Peace, Notary Public or Commissioner etc.