

**BYLAW NO. 1090
OF STARLAND COUNTY
IN THE PROVINCE OF ALBERTA, CANADA**

A Bylaw of Starland County
providing for the appointment of a
Bylaw Enforcement Officer(s).

WHEREAS Section 7 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, as amended from time to time, notes that Council may pass a bylaw for municipal purposes, including the enforcement of local bylaws;

AND WHEREAS, Section 556 of the Municipal Government Act notes that a Council must by bylaw specify the powers and duties of bylaw enforcement officers, and establish disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by a bylaw enforcement officer;

AND WHEREAS the Council of Starland County has determined that it is in the best interest of Starland County to pass a bylaw providing for the appointment of Bylaw Enforcement Officers.

NOW THEREFORE be it resolved that the Council of Starland County in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw may be referred to as the "Bylaw Enforcement Officer Bylaw".
 - a) "Bylaw" means bylaws of Starland County;
 - b) "Bylaw Enforcement Officer" means a person appointed, designated and/or engaged as such pursuant to the provisions of this Bylaw;
 - c) "Chief Administration Officer" means the person appointed as Chief Administration Officer by duly enacted Bylaw of Starland County.
 - d) "Chief Bylaw Enforcement Officer" means:
 - A person appointed, designated and/or engaged as such pursuant to the provisions of this Bylaw, or
 - In the event no person is designated, the Chief Administrative Officer;
 - e) "Control Officer" means the Chief Administration Officer or such other person as may be appointed or designated as a Control Officer by the Chief Administration Officer.
 - f) "County" means Starland County;
 - g) "Starland County" means Starland County, a municipal corporation in the Province of Alberta;
2. The Chief Administration Officer may from time to time appoint, designate, and/or engage one or more persons who are either employees of Starland County, or who are engaged under contract with Starland County, as Chief Bylaw Enforcement Officers.

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3. The Chief Administration Officer may from time to time appoint, designate, and/or engage one or more persons who are either employees of Starland or who are engaged under contract with Starland as Bylaw Enforcement Officers.
4. A Chief Bylaw Enforcement Officer, and a Bylaw Enforcement Officer appointed, designated, and/or engaged pursuant to this Bylaw and engaged by Starland County either as an employee or as a contractor, either independently or through agreement with another municipality is, in the execution of his/her duties, a person engaged for the preservation and maintenance of the public peace and has all the powers of a Peace Officer with respect to the enforcement of the bylaws of Starland County. Such persons shall not have the power to apprehend, search or take custody of any persons unless otherwise expressly stated in any bylaw or permitted in any bylaw.
5. Upon a person being appointed, designated and/or engaged as a Chief Bylaw Enforcement Officer or Bylaw Enforcement Officer, he/she shall take the official oath prescribed by the Oaths of Office Act before entering upon hi/her duties; and further, he/she shall be issued with a means of identification, by the person who appointed him/her which he/she shall carry on his/her person when he/she is on duty or performing functions as a Bylaw Enforcement Officer.
6. The powers and duties of a Chief Bylaw Enforcement Officer shall include the following:
 - a) Ensuring that the Bylaws of Starland County are enforced within its boundaries;
 - b) Supervising the performance and conduct of the Bylaw enforcement officers under his/her control;
 - c) Ensuring the due performance of the provisions of the contract of Bylaw Enforcement Officers engaged by Starland County as independent contractors or through agreement with any adjacent municipality;
 - d) Reporting to his/her control officer and carrying out his/her control officers' directions;
 - e) Establishing standards of uniform, insignia and identification for Bylaw Enforcement Officers;
 - f) Assisting in the prosecution of breaches of Starland County bylaws including gathering evidence, attendance of witnesses and court appearances.
7. The powers and duties of a Bylaw Enforcement Officer shall include the following:
 - a) Enforcing the bylaws of Starland County within its boundaries;
 - b) Reporting to and carry out the directions of his/her control officer;
 - c) Responding to and investing complaints;
 - d) Conducting routine patrols;
 - e) Carrying out inspections of overload moves within Starland County;

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- f) Issuing and serving notices, tickets, tags, summons, and laying information when required.
 - g) Assisting in the prosecution of breaches of bylaws including gathering evidence, assisting witnesses, attending court and providing evidence required;
 - h) Performing all duties as may from time to time be assigned by his/her control officer or designated in his/her contract.
8. The Chief Bylaw Enforcement Officer and any designated Bylaw Enforcement Officers who are employees of Starland County are subject to discipline procedures and penalties contained in the Policies of the County or any amendments thereto.
9. The contract of persons who are engaged by Starland County to perform the duties of a Chief Bylaw Enforcement Officer or a Bylaw Enforcement, and who breach either the terms of such contract or this Bylaw, are subject to termination without notice and without prejudice to Starland County's right to seek damages for such breach of contract.
10. This Bylaw shall come into effect upon the date of the third reading thereof.

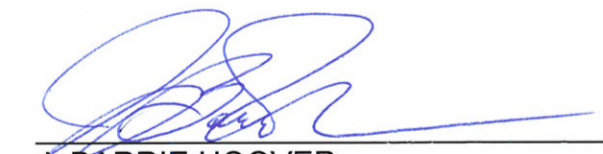
First Reading on motion of Deputy Reeve Avramenko, this 26th day of August, A.D., 2008.

Second Reading on motion of Councillor Stanger, this 26th, day of August, A.D., 2008.

Third and final reading on motion by Councillor Hebert, this 26th day of August, A.D., 2008

Done and finally passed in Council, duly assembled, this 26th day of August, A.D., 2008.

STARLAND COUNTY:



J. BARRIE HOOVER
REEVE



ROSS D. RAWLUSYK
CHIEF ADMINISTRATIVE OFFICER