

**Village of Rosemary
In the Province of Alberta
Bylaw 430/11**

“Bylaw Enforcement Officer”

A Bylaw of the Village of Rosemary in the Province of Alberta to establish the position of Bylaw Enforcement Officer.

WHEREAS: It is deemed proper and advisable to create the municipal office of By-Law Enforcement Officer so that a person or persons appointed to that office will by diligent inspection ensure that the provisions of the bylaws of the Village of Rosemary are duly observed.

WHEREAS: The Council of the Village of Rosemary, has the authority under Section 7 of the Municipal Government Act, R.S.A. 2000 c-M-26, and related amendments, to enact bylaws for municipal purposes respecting the enforcement of bylaws made under this or any other enactment;

NOW THEREFORE: The municipal Council of the Village of Rosemary in the Province of Alberta, duly assembled in Council, enacts as follows:

1.0 Title

1.1 This Bylaw may be cited as the **“Bylaw Enforcement Officer”** Bylaw.

2.0 Interpretation

2.1 **“Bylaw”** means a bylaw of the Village of Rosemary.

2.2 **“Bylaw Enforcement Officer”** shall mean a person appointed by the Chief Administrative Officer, and in the execution of his/her duties, is a person contracted for the preservation and maintenance of the public peace.

2.3 **“Chief Administrative Officer”** means the person appointed by Council pursuant to the Municipal Government Act.

2.4 **“Council”** means the municipal council of the Village of Rosemary.

2.5 **“Village”** means the Village of Rosemary.

3.0 General

3.1 Council hereby establishes the position of Bylaw Enforcement Officer and the individual(s) appointed to the position will have the title **“Bylaw Enforcement Officer”** or, if appointed by Alberta Solicitor General and Public Security as a Community Peace Officer for the Village of Rosemary, **“Community Peace Officer”**.

3.2 Council will, by resolution, appoint an individual(s) to the position of Bylaw Enforcement Officer.

- 3.3 For the purposes of enforcing compliance with the Village of Rosemary bylaws, the Bylaw Enforcement Officer(s) shall be a designated officer of the Village.
- 3.4 Any person so appointed Bylaw Enforcement Officer shall hold term of office at the pleasure of the Council of the Village of Rosemary.
- 3.5 The territorial jurisdiction of the By-Law Enforcement Officer shall be the territorial boundaries of the Village of Rosemary.
- 3.6 The duties of the By-Law Enforcement Officer shall be, but not restricted to the following:
 - 3.6.1 Ensuring through appropriate actions that the by-laws enacted by the Village hereto and hereafter are preserved and maintained.
 - 3.6.2 To carry out investigations of any alleged breaches of the by-laws of the Village of Rosemary.
 - 3.6.3 To prepare necessary documentation and process charges laid according to law, including the serving of offense tickets and summonses for violations of the Village of Rosemary and serve subpoenas on witnesses required for Court proceedings for said charges.
 - 3.6.4 To act on behalf of the Village of Rosemary before the courts in the prosecution of such charges.
 - 3.6.5 To preserve and maintain public peace in the matter of the observance of the provisions of the laws of the Council of the Village of Rosemary within the corporate limits of the Village of Rosemary.
 - 3.6.6 To carry out other duties as required by bylaw or by resolution of the council of the Village of Rosemary.

4.0 Severability

- 4.1 Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.

5.0 Repeal of Bylaw

- 5.1 That the following Bylaws and all amendments be hereby repealed, 295/98 and 354/01.

6.0 Effective Date

- 6.1 This Bylaw shall come into full force and effect, on the date of third and final reading.

READ a first time this 12th day of December, 2011.

READ a second time this 12th day of December, 2011.

READ for the third time and finally passed this 12th day of December, 2011.

Don L. Gibb, Mayor

Margaret Loewen, Chief Administrative Officer