



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta RATES, FEES, CHARGES, & PENALTIES BYLAW 10 / 2020

A Bylaw of the Town of Bowden, in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, being Chapter M-26 of the revised statutes of Alberta,

Whereas the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) Section 7 provides that Council may pass bylaws for municipal purposes respecting:

- i. the services provided by or on behalf of the municipality
- ii. the enforcement of bylaws including fines & penalties

And whereas the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) Section 8 provides that Council may pass bylaws for municipal purposes respecting:

- i. the provision of a system of licences, permits or approvals
- ii. the establishment of taxes for the purpose of raising revenue
- iii. the establishment of fees for persons or businesses who do not reside or maintain a place of business within the municipality

And whereas the Council of the Town of Bowden wishes to incorporate all rates, fees, charges and fines into one Bylaw so as to facilitate regular review, appraisal and public transparency of such rates, fees, charges and fines.

Now therefore, the Municipal Council of the Town of Bowden hereby enacts as follows:

1 SHORT TITLE

This Bylaw may be known as and cited as the "Rates & Fees Bylaw".

2 PURPOSE

The purpose of this Bylaw is to set the rates, fees, charges and fines (as specified in the attached schedules) that will be charged for the services provided by the Town (including the enforcement of Town Bylaws).

3 DEFINITIONS

In this Bylaw (and the attached Schedules) the following definitions apply:

CAO (Chief Administrative Officer)

Is the person appointed by the Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA (or his / her designate) and is the administrative head of the Municipality.

Council

Means the duly elected Municipal Council of the Town of Bowden.

Municipality

Means the Town of Bowden, a municipal corporation within the Province of Alberta.

MGA

Means the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time)

Occupant

A person (other than an owner) occupying or exercising control over, or having right to occupy or exercise control over, land or property or buildings (not owned by the Municipality) either as a tenant or lessee for the purpose of residential or commercial activity under agreement with the owner of the land or property or buildings.

Owner

Means a person who is one or more of the following:

- a) the registered owner of the property
- b) recorded as the owner of the property on the assessment roll of the Town
- c) a person who is in control of an animal or vehicle or equipment

Person

Means any of the following:

- a) an individual
- b) a legal entity or business entity, including a firm, developer, contractor, association, partnership, society, or corporation
- c) a trustee, executor, administrator, agent, or employee of either a) or b)

Premise

Means any of the following:

- a) private land
- b) any building or a structure (either occupied or unoccupied)
- c) both or part of a) & b)

Property

Means a parcel of land as registered with Alberta Land Titles.

Remedial Order

An order to remedy contraventions issued in accordance with section 545 of the MGA.

Resident

Means a person who resides within a Town of Bowden address (postal code T0M 0K0), or an organization that is based within the Municipality, or any person or group as determined at the discretion of the CAO (on a case by case basis, without setting of any precedent).

Residential

Means a premise where no commercial activity or business is carried on (unless authorized by permit through a Business License).

Town

Means the municipal corporation of the Town of Bowden

Words (interpretation)

- i. "may" is to be construed as permissive and empowering
- ii. "must" is to be construed as imperative
- iii. "shall" is to be construed as imperative
- iv. "should" is to be construed as a recommended

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Schedules attached to this Bylaw:

Schedule A	Administration & Public Works
Schedule B	Business Licence
Schedule C	Recreation (Arena)
Schedule D	Planning / Development & Property Tax
Schedule E	Utilities
Schedule F	Cemetery
Schedule G	Animal Licensing
Schedule H	Bylaw Control & Enforcement Penalties

5 DESIGNATION OF AUTHORITY

5.1 Authority of Council

Council will set rates, fees, charges, and fines as set out in within this Bylaw.

5.2 Authority of the CAO

5.2.a

The Council of the Town of Bowden authorizes the CAO (or designate) to do all actions necessary in order to:

- i. facilitate the billing and collecting of fees & penalties
- ii. administering or enforcing the provisions of this Bylaw
- iii. recover any unforeseen costs associated with the provision of Town services
- iv. impose additional costs associated with the collection of unpaid rates, fees, charges, and fines

5.2.b

Where rates have not been established for a particular service, the CAO may establish and levy charges for services on a cost recovery basis for those services provided by the Town

5.2.c

The CAO has the authority to make an exception to any rates, fees, charges and fines contained within this Bylaw at his / her own discretion without precedent in response to abnormal circumstance or needs or situation at the time (eg: an emergency action).

5.2.d

The CAO has the authority to impose additional rates, fees, charges, and fines at his / her own discretion, without precedent, dependent upon the context, nature, and severity of the offence.

This may lead to the issue of:

- i. a written warning
- ii. a specific penalty listed for an offence as identified within this Bylaw
- iii. an unspecified penalty of not less than \$50 up to a maximum of \$15000 for any offence
- iv. the issue of a Remedial Order to remedy the infraction in accordance with Division 4 Enforcement of Municipal Law and section 545 of the Municipal Government Act
- v. any or all of i) to iv) above

5.3 Right of Appeal

Any person who considers themselves to be aggrieved by a rate, fee, charge or fine made by the Town or the CAO under the provision of this Bylaw may appeal the matter to Council, providing that:

- i. an appeal is made in writing within 30 days of receiving the rate, fee, charge or fine
- ii. accepting that the Council's decision respecting any appeal shall be final and binding

6 APPLICABILITY

6.1

This Bylaw applies to all persons, owners, occupants, customers, and businesses within the Town of Bowden municipal boundaries

6.2

All schedules attached to this Bylaw form part of this Bylaw.

6.3

General Sales Tax (GST) will be applied in accordance with the statutory requirements of the Canada Customs and Revenue Agency (CRA).

6.4

Nothing in this Bylaw relieves a person from:

- i. complying with the provision of any federal, provincial, municipal law or regulation
- ii. any requirement of any lawful permit, order or licence
- iii. any fine, charge, fee or rate charge made by any other federal or provincial legislation or regulatory body

6.5

The rates, fees, charges & fines stated within this Bylaw may be enforced by the provisions contained within the Municipal Government Act (Division, 4 Enforcement of Municipal Law), the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24, or any other Provincial or Federal regulation where valid and enforceable.

7 SEVERABILITY

Every provision of this Bylaw is independent of all other provisions. 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.

The addition or amendment of a rate, fee, charge or fine in any section of this Bylaw shall only affect that particular section of this Bylaw and all other sections shall remain in full force and effect.

8 BYLAW PRECEDENCE

This Bylaw (and the attached schedules) supersedes and takes precedence over all previously passed Bylaws that make reference to, or include specific fees, charges, rates or fines or penalties.

Bylaw **02/2019** and all amendments thereto are hereby repealed.

This Bylaw will come into effect on the final day of passing and signature thereof.

Read a first time in open council this 9th day of November 2020,

Read a second time in open council this 9th day of November 2020,

and finally passed by unanimous consent of the Councillor's present.

Read a third time in open council this 9th day of November 2020.



Robb Stuart
Mayor



Greg Skotheim
Chief Administrative Officer

SCHEDULE A Administration & Public Works

Service Description	Unit of Measure	\$ (GST included)
Office Services		
Photocopy	Per page single sided	\$0.25
Fax / email	Per page (incoming / outgoing)	\$1.00
Finance (Accounts Receivable)		
Bank charges re: NSF & returned cheques	Per occurrence	\$25.00
Overdue Accounts (terms 30 days net)	Balances outstanding per month	2% ① (plus GST)
Town Newsletter Advertising Rates ②	Business card size (colour)	\$12.00
	Half page (colour)	\$50.00
	Full page (colour)	\$100.00
Copies of Financial Statements or Bylaws	Per document	\$20.00
General Administration Fee	Per hour	\$25.00
Services provided under the Freedom of Information & Protection of Privacy Act (FOIP)	Per section 93 FOIP Act revised Nov 2019 (or as amended over time)	No greater than actual cost
Public Works		(no GST)
Hydrovac disposal of waste (by agreement with CAO)	Per load	\$50.00
General labour (by agreement with CAO)	Per hour	\$50.00

Notes

①

Payment terms on all account balances for goods & services supplied as invoiced is 30 days.

Payment must be made in full within stated payment terms.

An interest penalty of 2% per month will be levied on all outstanding balances.

②

Material content and payment for Newsletter Advertising must be submitted prior to the 15th day of the month the Newsletter is published.

The minimum contractual term is three months.

SCHEDULE B Business Licence

Service Description	Unit of Measure	\$ (GST included)
Licence Fee		
Business Licence - resident	Per calendar year	\$25.00
Business Licence - non-resident	Per calendar year	\$100.00
Business Licence - resident (after Aug 31 st)	Per month pro rata	\$5.00
Business Licence - non-resident (after Aug 31 st)	Per month pro rata	\$10.00
Business Licence - resident (temporary) ❶	Per licence	\$25.00
Business Licence - non-resident (temporary) ❶	Per licence	\$50.00
Penalties		(no GST)
Breach of Business Licence Bylaw	Per occurrence	\$250 to \$1000
Breach of Business Licence Bylaw	Repeat of offence	\$500 to \$2500

Notes

❶ A temporary Business Licence is valid for a period of two weeks only.

SCHEDULE C Recreation (Arena)

Service Description	Unit of Measure	\$ (GST included)
Winter Ice Rental Rates	Minimum time charged 1 hour	
Prime time (4:00pm until closing & weekends)	Additional time charged per ½ hour	
Resident (youth)	Per hour	\$90.00
Non-Resident (youth)	Per hour	\$130.00
Resident (adult)	Per hour	\$140.00
Non-Resident (adult)	Per hour	\$160.00
Non-Prime time	additional time charged per ½ hour	
Youth	Per hour	\$85.00
Adult	Per hour	\$110.00
Bowden School	Per student per rental time slot	\$1.05
Upstairs lobby	Per event / booking	\$25.00
Arena – Summer Rental Rates		
Youth	Per hour	\$65.00
Adult	Per hour	\$85.00
Resident “non profit”	Per day	\$381.15
Resident “commercial event”	Per day	\$444.68
Non-Resident “commercial event”	Per day	\$571.73
Rink Board Advertising ❶		(plus, GST)
Wall Board (standard size 96” x 48”)	Per annum	\$300.00
Rink Board (dasher board size 96” x 30”)	Per annum (3-year contract)	\$400.00
	Annual (1-year contract)	\$500.00
Installation	Per sign	\$100.00

Notes

- ❶ The artwork design and manufacture of each sign is not included in these fees.
- ❷ An interest penalty of 2% per month will be levied on all outstanding balances.

SCHEDULE D Planning / Development & Property Tax

Service Description	Unit of Measure	\$ (GST not included)
Property Tax		
Tax Certificate	Per roll number	\$25.00
Assessment Appeal Submission Fee	Per appeal	\$50.00
Tax Penalties (section 344 MGA applies)		
Current Year (as per Taxation & Property Assessment Notice)	Payment in full by June 30 th (or by Tax “TIPPS” program)	No penalty
Current Year (as per Taxation & Property Assessment Notice)	Later than June 30 th deadline	12%❶
Tax Arrears	All outstanding balances	15%❷
Appeal of Property Assessment	Residential	\$50.00
	Commercial	\$300.00
General Administration Fee	Per hour	\$25.00
Landowner Assessment Record / Tax Searches		\$20.00
Land Use Bylaw		
Designated Land Use	Residential (per Hectare)	\$15000
	Commercial (per Hectare)	\$15000
	Industrial (per Hectare)	\$15000
Designated Land Use	Residential single family	10.0 EDU / Ha
	Residential high density	12.5 EDU / Ha
	Duplex lot	2.0 EDU / Ha
	Townhouse	1.0 EDU / Ha
	Triplex	3.0 EDU / Ha
	Fourplex	4.0 EDU / Ha
	Apartments	0.5 EDU / Ha
	Commercial	12.5 EDU / Ha
	Industrial	10.0 EDU / Ha
	Institutional	10.0 EDU / Ha
Land Use Planning & Development		
Planning & Development Service Fees	rates determined by Red Deer County ❸	
Land Use Bylaw		
Penalties for offences specific to the Land Use Bylaw	First Offence	Written Warning
	Second Offence	\$250.00
	Third Offence	\$500.00
	Fourth Offence	\$1000.00

Notes

❶ Tax payment must be made in full by June 30th. A penalty of 12% will be levied on the amount of any remaining balance.

❷ Current year taxes and penalties (combined) that remain unpaid by December 31st within any tax year become "tax arrears" and are subject to a further tax penalty of 15% effective January 1st.

Property Owners who default on payments under the monthly Tax Payment Program (TIPPS) will incur tax penalties as set out in ❶ above and ❷.

③ Red Deer County is the approved Development Authority under a Municipal Services Agreement between the Town of Bowden and Red Deer County. Please refer to the Planning & Development page of the Red Deer County web site.

<http://www.rdcountry.ca/170/Planning-Development>

SCHEDULE E Utilities

Specific Services & Penalties	Unit of Measure	\$ (GST included)
Water Supply & Services		
Water meters & radio readers	Per meter / radio reader	Cost (plus 10%)
Meter inspection & testing (refunded only if meter is faulty)	Deposit	\$400.00
Utility reconnection fee	Per occurrence (plus cost)	\$55.00
Tampering with or operating utility shut-off valve	Per occurrence	\$300.00
Penalty for utility account arrears	all outstanding balances	Monthly 2%
Service charge per account per month	Monthly	\$10.00
Water consumption	Actual per cubic meter (1m ³)	\$3.00
Bulk Water	Actual per cubic meter (1m ³)	\$5.00
Sanitary Sewer (wastewater)		
Service charge per account per month	Monthly	\$10.00
Usage fee (calculated pro rata on metered water)	Per cubic meter (1m ³)	\$3.10
Flat rate fee per business① (where applicable)	Monthly	\$50.00
Garbage & Recycling		
Solid Waste Cart Collection② (max 3 carts per property)	Monthly per cart	\$11.00
Recycling Cart Collection ② (max 3 carts per property)	Monthly per cart	\$11.00
Cart replacement	Per cart	\$85.00 (plus GST)

Notes

- ① A Flat rate fee will be levied on commercial businesses, to cover wastewater charges, where No water meter is connected but sanitary sewer service is provided.
- ② Residential participation is mandatory – commercial participation is optional.

SCHEDULE F Cemetery

Service Description	Unit of Measure	\$
Sale of Plots		(plus GST)
Resident ❶		
Standard Plot	Per plot	\$300.00
Field of Honour	Per plot	\$150.00
Non-Resident		
Standard Plot	Per plot	\$1000.00
Field of Honour	Per plot	\$150.00
Preparation of Plots		
Monday to Friday 8.00am to 3.30pm		
Open & Closure of burial plot (casket)	Per plot	\$600.00
Open & Closure of burial plot (cremains)	Per plot	\$250.00
After 3.30pm on weekdays, weekends, Stat Holiday ❷		
Open & Closure of burial plot (casket)	Per plot	\$750.00
Open & Closure of burial plot (cremains)	Per plot	\$350.00
Vaults (for cremains)	Per unit	\$100.00 (no GST)
Columbarium		(GST included)
Niche (Resident) (includes first opening & plaque installation)	Per unit	\$900.00
Niche (Non Resident) (includes first opening & plaque installation)	Per unit	\$1400.00
Niche (Veteran or Veteran's spouse) (includes first opening & plaque installation)	Per unit	\$450.00
Second & subsequent opening (Mon to Fri 8.00am to 3.30pm)	Per opening	\$100.00
Second & subsequent opening (after normal working hours)	Per opening	\$150.00
Memory Wall or Niche Plaques (rates as per Nelson Granite)	Per plaque	variable
Installation of Memory Wall Plaques	Per installation	\$52.50
Disinterment (by agreement with CAO)	By agreement	variable

Notes

❶ Non-Resident is defined as an individual who has never resided in either the Town of Bowden or Red Deer County.

❷ Where a lot is either opened or closed (in part) after 3.30pm or at a weekend or on a statutory holiday or when hard frost conditions persist then the higher rate applies.

SCHEDULE G Animal Licencing

Specific Fees	Unit of Measure	\$ (GST included)
Licence Fee		
Licence purchased before 31st Jan in current year		
Spayed or neutered dog	Annually per calendar year	\$15.00
Unaltered dog	Annually per calendar year	\$20.00
Vicious❶ or dangerous dog (subject to Court Order)	Annually per calendar year	\$250.00
Licence purchased after 31st Jan and before 31st Jul		
Spayed or neutered dog	Annually per calendar year	\$30.00
Unaltered dog	Annually per calendar year	\$40.00
Vicious❶ or dangerous dog (subject to Court Order)	Annually per calendar year	\$250.00
New resident or new pet		
Spayed or neutered dog	after 31 st July	\$15.00
Unaltered dog	after 31 st July	\$20.00
Other Fees		
Hobby Licence (purchased anytime)		\$50.00
Transfer of licence		No Fee
Service or guide dog (Owner has Service Dog Identification Card)		No Fee
Replacement tag	Per request	\$5.00
Impoundment and capture fees	Cost recovery basis	variable
Veterinary fees	As incurred	cost

Notes

❶ As defined and subject to provisions contained within Animal Control Bylaw.

SCHEDULE H Bylaw Control & Enforcement Penalties

(reference to the appropriate Bylaw should be made for specific description of each Bylaw term and offence)

Penalty Description	1 st offence	Repeat offence
Cannabis Bylaw 10 / 2018 (as amended over time)		
Smoking or vaping in prohibited areas	Up to \$250.00	Min \$500.00
Unlicensed distribution or promotion	Up to 1000.00	Min \$2000.00
Noise Control Bylaw 12 / 2001 (as amended over time)	1st offence	Repeat offence
Specific violations as scheduled in Bylaw	\$200.00	\$400.00
Nuisance Bylaw 04 / 2014 (as amended over time)	1st offence	Repeat offence
Failure to remove dead or hazardous vegetation	\$200.00	\$500.00
Stockpiling of rubbish or garbage on premises	\$200.00	\$500.00
Failure to dispose of rubbish or garbage on premises	\$200.00	\$500.00
Allowing conditions that encourage infestation	\$200.00	\$500.00
Allowing signage to fall into disrepair	\$200.00	\$500.00
Unlicensed or unregistered vehicles	\$200.00	\$500.00
Section 4 Accumulation of Materials		
Placing of garbage or nuisance material on town property	\$200.00	\$500.00
Failure to properly screen a commercial business	\$500.00	\$1000.00
Section 5 Appliances		
Allow scrap appliance to be visible on property	\$200.00	\$500.00
Allow scrap appliance on property without removing doors	\$200.00	\$500.00
Section 6 Trees or Shrubs		
Failure to trim tree or shrub and allow threat to safety	\$200.00	\$500.00
Section 7 Noxious Emissions & Dust		
Failure to contain smoke, steam, dust, noxious emissions	\$200.00	\$500.00
Section 8 Graffiti		
Create or apply graffiti	\$2500.00 (plus cleanup cost)	\$5000.00 (plus cleanup cost)
Failure to remove graffiti	\$200.00	\$500.00
Section 9 Eaves trough downspouts & sump pumps		
Downspouts not contained within parcel boundaries	\$200.00	\$500.00
Sump pump not contained within parcel boundaries	\$200.00	\$500.00
Section 10 Pesticides & Herbicides		
Use which negatively impacts adjacent property	\$200.00	\$500.00
Section 11 Flyers & debris		
Failure to contain flyers so impacting adjacent properties	\$200.00	\$500.00
Depositing flyers when notified not wanted	\$200.00	\$500.00
Section 12 Grass		
Allowing grass or herbaceous matter to grow >15cms	\$200.00	\$500.00
Allowing more than 1/3 of premise to have weeds	\$200.00	\$500.00
Section 13 Excavations, Pond Water, Outdoor Swimming Pools & Hot Tubs		
Allow excavation or water course to become a danger	\$200.00	\$500.00
Allow hot tub, whirlpool or swimming pool in front yard	\$200.00	\$500.00
Section 14 Obligation to Maintain		

Allowing a fence or structure to become a safety hazard	\$200.00	\$500.00
Failing to maintain a structure or fence	\$200.00	\$500.00
Section 15 Public Behaviours		
Fighting in Public	\$200.00	\$500.00
Defecating or urinating in public place	\$200.00	\$500.00
Spitting in a public place	\$200.00	\$500.00
Vomiting in a public place	\$200.00	\$500.00
Causing a disturbance	\$200.00	\$500.00
Section 16 Exceptions		
Failing to minimize duration of unsightly premise	\$200.00	\$500.00
Traffic Bylaw 11 / 2012 (as amended over time)	1st offence	Repeat offence
Specific violations as scheduled in Bylaw	\$100.00	\$250.00
Exceptions:		
Section 4 Operation of Vehicles		
Driving across Fire Department hose	\$250.00	\$500.00
Section 6 Parking		
Parking in a fire lane	\$250.00	\$500.00
Parking in a Disabled Vehicle stall	\$250.00	\$500.00
Parking a vehicle over one ton or 6.1 meters in length	\$250.00	\$500.00
Section 9 Parades & Processions		
Disobeying the CAO or Bylaw Enforcement Officer	\$250.00	\$500.00
Section 10 Pedestrians		
Refusing to disperse on instruction of Bylaw Officer	\$250.00	\$500.00
Section 12 Public Places		
Damaging street furniture	\$250.00 (plus cost of repair)	\$500.00 (plus cost of repair)
Littering	\$250.00 (plus clean-up cost)	\$500.00 (plus clean-up cost)
Tracking on municipal streets	\$500.00 (plus clean-up cost)	
Defacing highway or street furniture	\$250.00 (plus repair cost)	
Section 12.10 (b, c, e)	\$500.00	\$500.00
Placing or constructing obstructions on street or public place	\$500.00	\$500.00
Excavation without permission of CAO	Minimum 500.00	\$500.00
Cost of removing barbed wire fence	\$250.00 (plus labour cost)	
Section 14 Miscellaneous		
Obstructing roadway	\$250.00 (plus clean up)	
Section 17 Maximum weights, oversized vehicles		
Vehicle gross weight over limit	\$250.00	\$500.00
Using engine retarder brakes within Town	\$500.00	\$500.00
Animal Control Bylaw 02 / 2013 (as amended over time)	1st offence	Repeat offence
Specific violations as scheduled in Bylaw	\$100.00	\$250.00
Exceptions:		
Section 5 Nuisance		
Section 5.0 (a) Bite / attack a person or animal	\$250.00	\$500.00
Section 6 Interference		
Abuse of animal	\$250.00	\$500.00
Section 7 Vicious Dogs		
All penalties	\$500.00	\$1000.00
Section 8 Licencing		
Failure to licence a vicious dog	\$500.00	\$1000.00
Providing false / misleading information for licencing	\$250.00	\$500.00

Section 10 Obstruction		
Section 10.0 & 10.1	\$250.00	\$500.00
Section 13 Exotic Animals		
Section 13.0 and 13.1	\$250.00	\$500.00
Land Use Bylaw 08 / 2012 (as amended over time)		
Penalties for offences specific to the Land Use Bylaw	First Offence	Written Warning
	Second Offence	\$250.00
	Third Offence	\$500.00
	Fourth Offence	\$1000.00
Water Bylaw 02 / 2020 (as amended over time)		
Any offence in contravention of a term of the Bylaw❶	Min \$50.00	Max \$15000.00
Wastewater & Stormwater Bylaw 05 / 2019 (as amended over time)		
Any offence in contravention of a term of the Bylaw❷	Min \$50.00	Max \$15000.00

Notes

❶ The Water Bylaw sets out penalties associated with unspecified contraventions of that Bylaw and the costs associated with the maintenance and repair of water lines.

❷ The Wastewater and Stormwater Bylaw sets out unspecified penalties associated with contraventions of that Bylaw and the costs associated with the maintenance and repair of sanitary sewer lines.

