

SCHEDULE "B"

Village of Wabamun Community Service Matters Bylaws for Repeal

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LIST OF BYLAWS AND RATIONALE FOR REPEAL**1. Village of Wabamun Bylaw No. 06-94: Ballpark and Campground Agreement**

Parallel Parkland County Bylaws: N/A

Rationale for repeal: this bylaw governs the development of the park. As that was complete many years ago, this bylaw is no longer necessary.

Bylaw document: available at [Appendix A](#)

2. Village of Wabamun Bylaw No. 17-80: Municipal Library Bylaw

Parallel Parkland County Bylaws: Bylaw No. 2014-08: Municipal Library Board

Rationale for repeal: This Bylaw can be replaced with Parkland County Bylaw No. 2014-08: Municipal Library Board to ensure uniformity across Parkland County.

Bylaw document: not av

3. Village of Wabamun Bylaw No. 02-2007: Park Hours Bylaw

Parallel Parkland County Bylaws: Bylaw No 44-2002: Parkland County Parks Bylaw

Rationale for repeal: Can be replaced with Parkland County Parks Bylaw. This will ensure uniform application of the law across Parkland County.

Bylaw document: available at [Appendix B](#)

4. Village of Wabamun Bylaw No. 05-92: Parks Bylaw

Parallel Parkland County Bylaws: Bylaw No 44-2002: Parkland County Parks Bylaw

Rationale for repeal: Can be replaced with Parkland County Parks Bylaw. This will ensure uniform application of the law across Parkland County.

Bylaw document: available at [Appendix C](#)

5. Village of Wabamun Bylaw No. 10-96: Wabamun Arena Bylaw

Parallel Parkland County Bylaws: N/A

Rationale for repeal: The Wabamun Arena has been demolished and no longer exists. As such, bylaws governing it are no longer needed.

Bylaw document: available at [Appendix D](#)

6. Village of Wabamun Bylaw No. 02-97: Wabamun Arena Smoking Bylaw

Parallel Parkland County Bylaws: N/A

Rationale for repeal: The Wabamun Arena has been demolished and no longer exists. As such, bylaws governing it are no longer needed.

Bylaw document: available at [Appendix E](#)

**APPENDIX A:
WABAMUN BYLAW NO. 06-94: Ballpark and Campground Agreement**

BY-LAW NO. 06-94

OF THE

VILLAGE OF WABAMUN

IN THE PROVINCE OF ALBERTA

BEING A BY-LAW OF THE VILLAGE OF WABAMUN IN THE PROVINCE OF ALBERTA TO PROVIDE FOR ENTERING INTO AGREEMENT WITH EARTHSCAPE CONSULTANTS TO PROVIDE FOR FINAL DESIGN AND SUPERVISION OF THE CONSTRUCTION OF A BALL PARK AND CAMPGROUND.

WHEREAS, under the provision of section 213(2) of the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta 1980. as amended, a Council may pass by-laws respecting all matters pertaining to the acquisition, establishment, construction, control and operation of parks, trailer courts, mobile home parks, campgrounds, athletic grounds and exhibition grounds, including provision for the acquisition, construction and control of structures, equipment, machinery and fittings that may be necessarily required.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF WABAMUN; IN THE PROVINCE OF ALBERTA; DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. The Village of Wabamun is hereby authorized to enter into agreement with Earthscape Consultants, the terms of which are attached hereto and marked Exhibit "A" to this By-Law.
2. The Mayor and Administrator of the Village of Wabamun are hereby authorized to sign and execute an agreement, the terms of which are set out in Exhibit "A" herebefore referred to.

READ A FIRST TIME IN COUNCIL THIS 21st DAY OF November A.D. 1994.

READ A SECOND TIME IN COUNCIL THIS 21st DAY OF November A.D. 1994.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 21st DAY OF November A.D. 1994.



 MAYOR



 ADMINISTRATOR

:lgb

EXHIBIT "A"

Earthscape Consultants

A COMPANY OF CH2M HILL LTD.
Golf Course Architects Landscape Architects



1994 11 10

Village of Wabamun
c/o Ms. Caroline Farley
P.O. Box 240
Wabamun, Alberta
T0E 2K0

FAX: 892-2869

Dear Ms. Farley:

RE: **WABAMUN BALL PARK**
LANDSCAPE ARCHITECTURE PROPOSAL

Thank you for inviting Earthscape Consultants to propose on this work. The work to be designed, specified, detailed, tendered and supervised for two fastball/slowpitch diamonds, one baseball diamond, a campground loop, a parking area and pathways includes the following:

1. Grade staking and grading utilizing on-site materials, topsoiling from stockpiles on adjacent site.
1. Grade staking and excavation of skinned infields to 150 mm depth and 1% grades on subgrade.
2. Supply and place 10 mm pea gravel drainage course to 100 mm compacted depth for infields.
3. Supply and place geotextile separation layer for infields.
4. Supply and place 6 mm crushed red shale to a compacted depth of 100 mm for infields.
5. Supply and place 5 m X 6 m X 5 m canopy backstop with top netting.
6. Supply and place perimeter chain link fence.
7. Supply and place Dugouts.
8. Supply and place 20 mm Granular Base Course for campground and parking lot.
9. Supply and install topsoil amendments, fertilizer and grass seed.

Michael Evans will be the landscape architect involved and will attend all meetings for this project. The design and detail work can be completed within a two month work period and will be undertaken with Autocad on existing base drawings provided by the client. We have prepared a table of upset fees and estimated disbursements on the following page.

#311, 8616 - 51 Avenue, Edmonton, Alberta T6E 6E6 • Telephone (403) 466-2001 • Fax (403) 468-5334

Ms. Caroline Farley / 1994 11 10 / Page 2

TASK	FEEs	DISB	TOTAL
1) TENDER DOCUMENTS	\$ 4,500.	\$ 500.	\$ 5,000.
2) TENDERING/NEGOTIATING	\$ 500.	\$ 100.	\$ 600.
3) CONSTRUCTION SUPERVISION	\$ 2,000.	\$ 400.	\$ 2,400.
TOTAL UPSET FEES & DISBURSEMENTS	\$ 7,000.	\$ 1,000.	\$ 8,000.
GST 7%			\$ 580.
TOTAL LANDSCAPE ARCHITECTURE COSTS			\$ 8,560.

The tender documents will be prepared to allow contractors to tender on whole or part of the work, with the provision that any part can be selected and will actually be written as a quote document as opposed to a tender document to allow this flexibility. The contracting work would not require bonding but would require the contractors to provide one year written guarantees for all work and materials.

Fees and disbursements will be invoiced on a monthly basis and are payable on net 30 days basis.

Earthscape has been providing Landscape Architectural services since 1976. We have undertaken similar major ball diamond development projects in Leduc, Fort Saskatchewan, Spruce Grove, Beaumont, Fort McMurray and Camrose. I would be pleased to attend a committee or council meeting to review our portfolio.

If this proposal is acceptable please sign and return one copy. I look forward to working with you in implementing this project to complete the work so play can commence early in 1996. Should you have any questions please contact our office.

Yours truly,
 Earthscape Consultants
 a division of 253002 Alberta Ltd.


 Michael D. Evans A.A.C.A., C.S.L.A.

 Town of Webamun

 Date

**APPENDIX B:
WABAMUN BYLAW NO. 02-2007: Park Hours Bylaw**

**BY-LAW NO. 02-2007
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA**

BEING A BY-LAW OF THE VILLAGE OF WABAMUN, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE IMPLEMENTATION AND PROVISIONS FOR PARK HOURS IN THE VILLAGE OF WABAMUN.

WHEREAS, under the provisions of Part 2, Division 1, Section 7 of the Municipal Government Act of Alberta being Chapter M-26 RSA 2000 and amendments thereto, the Council of the Village of Wabamun has the authority to pass such bylaw.

AND WHEREAS, the Council of the Village of Wabamun is of the opinion that it would be in the best interest of the residents of the Village of Wabamun that a bylaw be passed to regulate the time after which all individuals shall not be in a public park during the night.

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

1. **TITLE**
This By-Law may be cited as "The Parks Hours Bylaw".
2. **DEFINITIONS**
In this By-Law, unless the context otherwise requires
 - (a) **Peace Officer** means a member of the Royal Canadian Mounted Police or a Special Constable for the Village of Wabamun.
 - (b) **Public Park** means any place in which the public has access and which the Village of Wabamun has designated as a park.
3. **INFRACTIONS**
 - (a) No person shall be in a public park in the Village of Wabamun after the hour of 11:00 p.m. on any day and before the hour of 6:00 a.m. on the following day unless special permission is granted by the Village of Wabamun.
 - (b) No person shall unnecessarily loiter during park hours so as to disturb the comfort, repose or enjoyment of other users of the park or adjoining residential areas.
4. **PENALTY PROVISIONS**
 - (a) Any person found in a designated park area after the prescribed hours shall be removed from the park area by any peace officer or person(s) duly authorized by the Village of Wabamun.
 - (b) Any person found loitering, as per section 3(b) shall be removed from the park area by any peace officer or person(s) duly authorized by the Village of Wabamun.
5. **PENALTIES**
 - (a) The Peace Officer is hereby authorized and empowered to issue an "Official Tag" or "Violation Tag" to any person who has committed or is committing an offence under this Bylaw.
 - (b) The "Official Tag" shall:
 - i) specify the alleged offence committed by the person to whom the "Official Tag" is issued; and
 - ii) require payment within thirty (30) days from the date of issue in the amount as specified in accordance with the offence in "Schedule A", and

**By-Law No. 02-2007
Park Hours
Page 2 of 3**

- iii) if the fine specified on an "Official Tag" is not paid within the prescribed time period, then the Peace Officer is hereby authorized and empowered to lay a complaint and issue a summons by means of a "Violation Ticket".
 - (c) The "Violation Ticket" shall be in the form prescribed by Alberta Regulation 233/89, as amended, being the Violation Ticket Regulations passed pursuant to the Provincial Offence Procedures Act.
 - (d) The "Official Tag" or "Violation Ticket" shall be served upon the alleged offender personally or by single registered mail.
 - (e) Where contravention of this Bylaw is of a continuing nature, further "Official Tags" or "Violation Tickets" may be issued by the Peace Officer.
6. **EFFECTIVE DATE**
 (a) This Bylaw comes into effect on the third and final reading and signing thereof.
7. **SEVERABILITY PROVISION**
 (a) Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining Bylaw shall be maintained.

READ A FIRST TIME IN COUNCIL THIS 1ST DAY OF APRIL, A.D. 2008.

READ A SECOND TIME IN COUNCIL THIS 1ST DAY OF APRIL, A.D. 2008.

READ A THIRD TIME IN COUNCIL THIS 1ST DAY OF APRIL, A.D. 2008.

SIGNED by the MAYOR and ADMINISTRATOR this _____ day of _____, 20__.

MAYOR

ADMINISTRATOR

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 Park Hours
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SCHEDULE "A"
BY-LAW NO. 02-2007
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA

FINES FOR VIOLATIONS

Section	Infraction	Official Tag Fine	Violation Ticket Fine
3(a)	Present in a public park between the hours of 11:00 p.m. on any day and before the hour of 6:00 a.m. on the following day	\$50	\$200
3(b)	Unnecessary loitering during park hours so as to disturb the comfort, repose or enjoyment of other uses of the park or adjoining residential areas	\$50	\$200

**APPENDIX C:
WABAMUN BYLAW NO. 05-92: Parks Bylaw**

**BY-LAW NO. 05-92
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA**

A BY-LAW NO. 05-92 OF THE VILLAGE OF WABAMUN IN THE PROVINCE OF ALBERTA TO PROVIDE FOR CONTROLS AND REGULATIONS PERTAINING TO THE PUBLIC USE OF PARKS WITHIN THE VILLAGE.

WHEREAS Section 213 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, and amendments thereto, authorizes the Council to pass bylaws respecting all matters pertaining to the control and operation of parks, campgrounds, athletic grounds and control of structures, equipment, machinery and fittings that may be necessarily required; and

WHEREAS within the Corporate limits of the Village of Wabamun there are public places with facilities that are available to the general public; and

WHEREAS certain of those facilities are under the direct control of the Village of Wabamun for their operation; and

WHEREAS it is deemed desirable and expedient and in the public interest to provide for the control and protection of the facilities and of the public using the facilities;

NOW THEREFORE the Council of the Village of Wabamun duly assembled in open meeting enacts as follows:

This By-Law shall be cited as "The Parks By-Law"

1. Definitions

"Animal" means a dog or domesticated or wild animal of any kind.

"Children" has the same meaning as under the Age of Majority Act.

"Council" means the Council of the Village of Wabamun.

"Off-highway Vehicle" has the same meaning as defined in the Off-Highway Vehicle Act.

"Park Caretaker" means a person authorized by the Village of Wabamun to act as a Park Caretaker.

"Parks" when used as a noun, means an area, including vegetation and improvements located therein, over which the Village exercises control, and so as not to restrict the generality of the foregoing, includes:

every public park, sports field, playground or recreation area title to which is vested in the Village of Wabamun, excepting those facilities or areas which are operated by a public service group or society under agreement with the Village of Wabamun;

any public reserve or area used as a park or highway buffer strip, whether on a permanent or temporary basis;

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 Village Of Wabamun
 By-Law No. 05-92

any area designated by resolution of the Village of Wabamun as a park for the purposes of this By-Law.

"Park" when used as a verb, has the same meaning as defined in the Off-Highway Vehicles Act.

"Peace Officer" shall mean a member of the Royal Canadian Mounted police, a Special Constable, or a By-Law Enforcement Officer appointed for the Village.

"Person" includes any person, individual, owner, public body, body corporate, society, firm or partnership.

"Roadway" has the same meaning as defined in the Highway Traffic Act.

"Specified Penalty" means the amount which a person who receives a ticket for contravention of a provision of this by-law may voluntarily pay to avoid prosecutions.

"Village" shall mean the Village of Wabamun.

"Vehicle" has the same meaning as defined in the Highway Traffic Act.

2. Hours

The Village Council may by resolution regulate the hours of operation of and/or close a park or parks for such hours or period of time as it may direct.

3. Fences

No person shall climb on or over fences located in or at the edges of a park.

4. Signs

No person shall disobey a directive sign placed in a park.

5. Damage

A) No person shall damage, deface, destroy or remove:

i) a structure, fixture, improvement, sign or other property;

ii) vegetation, soil, sand, gravel or wood, or any other material located in a park.

B) No person shall deposit waste of any nature or kind in a park except in designated areas.

6. Park Use

A) No person shall engage in an activity in a park which may:

i) injure any other person using the park;

ii) damage the park;

iii) be incompatible with other common uses of the park.

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Village of Wabamun
By-Law No. 05-92

- B) No person shall, in a park engage in:
- i) propelling a golf ball in any manner;
 - ii) archery;
 - iii) the use of a sling shot;
 - iv) the shooting of a projectile of any nature;
 - v) the discharge of any fireworks or fire crackers.

7. The Council may designate parks or areas within a park where any of the activities otherwise prohibited in the By-law, are permitted.

8. The Council may make regulations for the orderly use of a park including the prohibition in a park or a portion of a park of activities not otherwise prohibited in this By-law.

A) No person shall:

i) start a fire, except in fireplaces provided therein for such purpose and except in a barbecue or other portable fire appliance in an area of such park specifically designed for such purpose;

ii) swear or use obscene, offensive or insulting language, fight, be drunk or conduct himself in a disorderly manner and/or otherwise act in a manner that is noisy and disturbs or is likely to disturb or cause inconvenience, to other park users or to neighboring properties.

9. Enforcement

Where, in the opinion of the Park Caretaker and/or Peace Officer, any person is acting in a manner inconsistent with any provision of this By-law, the Park Caretaker and/or Peace Officer may enter and inspect the site and direct that person to cease that action and the person so directed shall forthwith comply with that directive. A Peace Officer may issue tickets for contraventions of this By-law and/or regulations relating to this By-law, according to Section 16.

10. Camping

- A) No person shall camp or erect a tent in a park, except in areas designated by the Council.
- B) Council may designate a maximum number of days in which a park user is allowed to camp in a park.
- C) All campers in a park must register all required information, as designated by the Council.

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Village of Wabamun
By-Law No. 05-92

11. Vehicles

- A) No person shall operate a vehicle in a park, except on a roadway provided for such use.
- B) No person shall park a vehicle in a park, except in an area designated for such use.
- C) No person shall operate an off-highway vehicle in a park.
- D) No person shall operate a vehicle in a park in excess of ten (10) kilometers per hour or as otherwise posted.

12. Animals

- A) No person shall permit an animal owned or controlled by him/her:
 - i) to run at large in a park;
 - ii) to enter into a body of water located in or flowing through a park;
 - iii) to enter into a floral area located in a park;
 - iv) to enter into a public building located in a park.
- B) The owner of an animal who permits the animal to defecate on park property shall remove forthwith any defecated matter.

13. Sale of Goods and Services

The Council may make regulations governing the sale of goods and services in a park.

14. Advertising

No person shall advertise or publicize anything in a park by any means without the prior written approval of the Council.

15. Supervision of Children

Parents and/or Guardians are responsible for supervision of their children in a park.

16. Penalty Provision

A) A person who contravenes a provision of this by-law is guilty of an offense, is liable by way of summary conviction to a fine of not less than \$ 100.00 and not more than \$ 2,500.00 and in default of payment of the fine and costs, including the cost of committal, to imprisonment for a term not exceeding six (6) months.

B) A ticket shall be deemed to be sufficiently served:

- i) if served personally on the accused, or if mailed by registered mail to the address of the registered owner of the vehicle concerned, or to the person concerned; or

Form # 149P-MB

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Village of Wabamun
By-Law No. 05-92

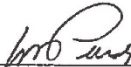
ii) if attached to or left upon the vehicle in respect of which the offense is alleged to have been committed.

C) Notwithstanding the provisions of this section, a person to whom a ticket has been issued pursuant to this section may exercise his right to defend any charges of contravention, of any of the provisions of this by-law.

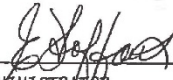
READ A FIRST TIME IN COUNCIL THIS 1st DAY OF JUNE A.D. 1992.

READ A SECOND TIME IN COUNCIL THIS 1st DAY OF JUNE A.D. 1992.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 1st DAY OF JUNE A.D. 1992.



MAYOR



ADMINISTRATOR

ELH:lgb

Form # 145P MB

**APPENDIX D:
WABAMUN BYLAW NO. 10-96: Wabamun Arena Bylaw**

**BY-LAW NO. 10-96
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA**

THIS IS A BY-LAW OF THE VILLAGE OF WABAMUN TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF WABAMUN AND PARKLAND COUNTY TO ENTER INTO AN OPERATION COST SHARING AGREEMENT FOR THE WABAMUN ARENA

WHEREAS, section 7 of the Municipal Government Act RSA 1994 CM-26.1 allows a municipality to enter into an agreement for the performance of any matter or thing judged to be of benefit to them; and

WHEREAS, the Village of Wabamun considers it beneficial to enter into an operational cost sharing agreement for the Wabamun Arena with Parkland County.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF WABAMUN; IN THE PROVINCE OF ALBERTA; DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. A memorandum of agreement with Parkland County. A copy of which is attached hereto, is hereby ratified and approved; and the Mayor and Municipal Administrator are hereby authorized to execute the said agreement for and on behalf of the Village of Wabamun.
2. This By-Law shall come into full force and effect upon third reading.

READ A FIRST TIME IN COUNCIL THIS 2nd DAY OF DECEMBER, A.D. 1996.

READ A SECOND TIME IN COUNCIL THIS 2nd DAY OF DECEMBER, A.D. 1996.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 2nd DAY OF DECEMBER, A.D. 1996.

MAYOR

ADMINISTRATOR

**APPENDIX E:
WABAMUN BYLAW NO. 02-97: Wabamun Arena Smoking Bylaw**

**BY-LAW NO. 02-97
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA**

BEING A BY-LAW OF THE VILLAGE OF WABAMUN IN THE PROVINCE OF ALBERTA TO PROHIBIT SMOKING IN THE WABAMUN ARENA.

WHEREAS, the Municipal Government Act, being Chapter M26.1, of the Statutes of Alberta, 1994, and amendments thereto, provides that Council may pass Bylaws to develop and maintain safe and viable communities;

AND WHEREAS Council has determined that the Wabamun Arena should be a non-smoking facility, promoting the health, safety and welfare of the inhabitants.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE VILLAGE OF WABAMUN ENACTS AS FOLLOWS:

SECTION 100 - DEFINITIONS

- 101 "Arena" means the entire facility called Wabamun Arena, including all playing areas, lobby areas, seating areas, washrooms, dressing rooms, office areas, concession areas, and storage areas.
- 102 "Smoke" or "Smoking" includes inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment, burning tobacco or any other weed or substance.
- 103 "Peace Officer or Officer" means a member of the RCMP, Special Constable, or a Council appointed By-Law Enforcement Officer.
- 104 "Banned" means prohibited from entering Wabamun Arena, including all playing areas, lobby areas, seating areas, washrooms, dressing rooms, office areas, concession areas, and storage areas. It shall also mean prohibited from the parking lot and areas directly adjacent to the facility.
- 105 "Council" means the Council of the Village of Wabamun.

SECTION 200 – AREA OF INFLUENCE

Smoking is prohibited within the Wabamun Arena with the following exceptions:

- 201 When there is no ice in the facility, and it is being used for the purpose of public assembly, not any for of athletic or sport activity, then smoking may be allowed on the floor area only at the discretion of the lessee.

By-Law No. 02-97
Prohibit Smoking in the Wabamun Arena
Page 2 of 2

SECTION 300 – SIGNS

Where smoking is prohibited, appropriate signs shall be posted where and when it is deemed necessary for the enforcement of this bylaw. When signs are used, they shall be either the following graphic form or in printed form "NO SMOKING" or both.



Each sign shall also include the text "VILLAGE OF WABAMUN, BY-LAW NO. 02-97, PENALTY \$100" clearly marked in black lettering.

SECTION 400 – POWERS OF POLICE AND OFFICERS

- 401 Where any officer believes that a person has contravened any provisions of this Bylaw, he may serve upon such a person a Bylaw ticket as provided by this section.
- a) Personally or by leaving it for him at his usual place of abode with an inmate thereof who appears to be at least 18 years of age or over.
 - b) By mailing a copy to the defendant by registered mail to his last known post office address.

SECTION 500 - PENALTIES

- 501 Contravention of any portion of this bylaw shall carry a fine of \$100.00.
- 502 Should a person charged under this bylaw refuse to pay the specified fine within thirty (30) days of a ticket being issued, the person shall be banned from the Wabamun Arena for a one (1) year period.

READ A FIRST TIME IN COUNCIL THIS 2nd DAY OF JUNE, A.D. 1997.

READ A SECOND TIME IN COUNCIL THIS 2nd DAY OF JUNE, A.D. 1997.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 2nd DAY OF JUNE, A.D. 1997.

MAYOR

ADMINISTRATOR