



# Town of Vegreville Policy

<b>TOWN OF VEGREVILLE</b>	<b>Town of Vegreville Policy</b>
<b>Policy No.:</b> <b>Policy Title:</b> <b>Approval Date:</b> <b>Department:</b>	<b>MOS-2012</b> <b>Enforcement Complaint Policy</b> <b>April 14, 2025</b> <b>Protective Services</b>
<b>Revisions:</b>	

## Policy Statement:

The Town of Vegreville Municipal Enforcement Department responds to various bylaw complaints throughout the Town of Vegreville’s limits. This policy clarifies that enforcement actions for received complaints, with proactive investigations extending to adjacent lands following the validation of an initial complaint. It also emphasizes that this policy does not override the enforcement procedures specified by the Town’s individual bylaws.

### 1.0 Reason for Policy

The intent of this policy is to establish the general process through which complaints with respect to enforcement of the Town of Vegreville’s various Bylaws will be addressed.

### 2.0 Related Information

- 2.1 *Municipal Government Act, RSA 2000, c M-26, (MGA) Section 555*
- 2.2 *Freedom of Information and Protection Act, RSA 2000, c F-25, (FOIP) Section 38*

### 3.0 Definitions

- 3.1 **Discretion** means the freedom to decide what should be done in a particular situation given all the available information.
- 3.2 **Development Officer** means, the Town Development Officer for complaints involving the Town’s Land Use Bylaw.
- 3.3 **Enforcement Officer** means:
  - 3.3.1 a person appointed under Section 555 of the *Municipal Government Act* to enforce the Town Bylaws;
  - 3.3.2 a member of the Royal Canadian Mounted Police (RCMP); or
  - 3.3.3 a Community Peace Officer appointed under the *Peace Officers Act*.

- 3.4 **Frivolous Complaint** means a complaint not having any serious purpose or value.
- 3.5 **Valid Complaint** means a complaint that describes the location and general nature of a potential bylaw contravention, which includes the complainant's name, address, and relevant contact information, willing to testify in court, and which is not a vexatious complaint.
- 3.6 **Vexatious Complaint** means a complaint that is made for retaliatory or bad faith purposes or otherwise forms part of a pattern of conduct by the requestor that amounts to an abuse of the complaint process.
- 3.7 **Town** means Town of Vegreville.

#### **4.0 Responsibilities**

##### **4.1 Town Council to:**

- 4.1.1 Approve by resolution this policy and any amendments.
- 4.1.2 Consider the allocation of resources for successful implementation of this policy in the annual budget process.

##### **4.2 Chief Administrative Officer to:**

- 4.2.1 Implement this policy and approve procedures.
- 4.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

##### **4.3 Director/Manager of the Department to:**

- 4.3.1 Ensure implementation of this policy and procedure.
- 4.3.2 Ensure that this policy and procedure is reviewed every three years.
- 4.3.3 Make recommendations to the CAO of necessary policy or procedure amendments.
- 4.3.4 Understand, and adhere to this policy and procedure.
- 4.3.5 Ensure employees are aware of this policy and procedure.

##### **4.4 All Employees to:**

- 4.4.1 Understand and adhere to this policy and procedure.

#### 4.5 Enforcement Officers to:

- 4.5.1 Receive enforcement complaints;
- 4.5.2 Conduct a preliminary review to determine the validity of a complaint;
- 4.5.3 Carry out the initial investigation of a complaint, determine appropriate actions to achieve compliance, and carry out those actions; and
- 4.5.4 Ensure all correspondence with landowners and complainants is documented.

#### 5.0 Guidelines:

5.1 Enforcement complaints shall be referred to an Enforcement Officer.

- 5.1.1 For complaints involving the Land Use Bylaw, complaints may be referred to the Development Officer.
- 5.1.2 Complaints are responded to on a priority basis, with response time dependent upon the availability of personnel at the time of the call and the priority of the complaint compared with other calls received.
- 5.1.3 The complainant must provide their first and last name, their legal land description, and their contact number in order to have a file started; a complainant's identity and personal information are protected under Section 38 of the *Freedom of Information and Protection of Privacy Act*.
- 5.1.4 Anonymous complaints will not be investigated unless potential safety, health, or liability issues are identified by the Enforcement Officer receiving the complaint.
- 5.1.5 An Enforcement Officer may not investigate a complaint if, through a preliminary review, it is determined by the Enforcement Officer that:
  - i. no violation or contravention has occurred;
  - ii. the complaint relates to a civil matter;
  - iii. the complaint relates to a matter falling outside of the jurisdiction and authority of the Enforcement Officer;
  - iv. the Town cannot take enforcement action on the complaint; and/or
  - v. the complaint is a Frivolous or Vexatious Complaint.

5.2 Upon determining that a complaint received is a Valid Complaint, an Enforcement Officer shall investigate the complaint, which may require the Enforcement Officer to attend private lands.

5.3 If an Enforcement Officer finds evidence of a Bylaw contravention in the course of their investigation, the Enforcement Officer shall follow the enforcement process laid out in the

applicable Bylaw to achieve compliance.

5.3.1 If the applicable Bylaw does not contain a specified enforcement process, then the Enforcement Officer shall have the ability to exercise their Discretion in choosing the best course of action to achieve compliance, including, but not limited to, the issuance of a verbal or written warning, additional inspections, notices, lay charges and/or the issuance of a Stop Order or Order to Remedy.

5.4 With respect to determining appropriate courses of action to carry out the intent of this Policy, an Enforcement Officer, as relevant, may exercise Discretion by considering various factors including, but not limited to:

5.4.1 the scale, number, and duration of the contravention(s);


5.4.2 the current, short-term, and long-term impacts that may arise from the contravention(s);

5.4.3 Frivolous, repeat and/or multiple complaints of an alleged contravention;


5.4.4 the potential for precedent; and

5.4.5 the resources available to resolve a complaint.

## 6.0 End of Policy



Mayor Tim MacPhee



Sandra Ling, CAO