

**WOODLANDS COUNTY
BYLAW 635/25
PROVINCE OF ALBERTA**

BEING A BYLAW FOR THE PURPOSE OF ESTABLISHING THE POWERS AND DUTIES AND DISCIPLINARY PROCEDURES RELATING TO BYLAW ENFORCEMENT OFFICERS IN THEIR CAPACITY AS PRESERVERS AND MAINTAINER OF THE PUBLIC PEACE.

WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, M-26, as amended, (hereafter the "*Municipal Government Act*") provides that council may pass bylaws for municipal purposes;

AND WHEREAS, Section 5 of the *Municipal Government Act* provides that a municipality has the powers, duties and functions given to it under the *municipal Government Act* and other enactments;

AND WHEREAS, Section 203 of the *Municipal Government Act* provides that council may by bylaw delegate any of its powers, duties or functions;

AND WHEREAS, Section 209 of the *Municipal Government Act* provides that the Chief Administrative Officer may delegate any of their powers, duties or functions;

AND WHEREAS, Section 556 of the *Municipal Government Act* provides that the powers and duties of Bylaw Enforcement Officer, and the disciplinary procedures applicable to Bylaw Enforcement Officers, must be specified by Council of the municipality;

AND WHEREAS, all references to legislation are Alberta statutes unless otherwise stated;

AND WHEREAS, Woodlands County deems it necessary to have Bylaw Enforcement for peace and order within the community;

NOW THEREFORE, the Council of Woodlands County, in the Province of Alberta, duly assembled, hereby enacts as follows.

1. This Bylaw shall be cited as the "Bylaw Enforcement Officer Bylaw."
2. In this Bylaw, including this section:
 - a. "Bylaw Enforcement Officer" means an employee of or person contracted by the County who has been appointed as a Bylaw Enforcement Officer pursuant to this Bylaw;

- b. "Chief Administrative Officer" means the chief administrative officer of the County, the Acting or Interim Chief Administrative Officer of the County, or their designate;
- c. "Community Peace Officer" means a person who has been appointed as a peace officer under the *Peace Officer Act*, S.A. 2006, c. P-3.5. A person may be both a Bylaw Enforcement Officer and a Community Peace Officer.
- d. "Council" means Council of the County;
- e. "County" means Woodlands County;
- f. "Notice" is any notice authorized to be given under any County bylaw or enactment.
- g. "Offence Ticket" means any ticket or tag which is authorized under the *Municipal Government Act*, the *Provincial Offences Procedures Act*, and any other enactment or bylaw;

Chief Administrative Officer

- 3. The Chief Administrative Officer may appoint Bylaw Enforcement Officers;
- 4. The Chief Administrative Officer may set rules, directives, and procedures for the conduct of Bylaw Enforcement Officers with respect to their powers and duties as Bylaw Enforcement Officers;
- 5. The Chief Administrative Officer may delegate any of their powers, duties, or functions contained in this Bylaw to any employee or designated officer of the County, including the option to further delegate those powers, duties, and functions.

Bylaw Enforcement Officers

- 6. Pursuant to this Bylaw, all Bylaw Enforcement Officers are appointed as designated officers.
- 7. In their capacity as designated officers, Bylaw Enforcement Officers only have those powers, duties, and functions that are delegated to them by the Chief Administrative Officer.
- 8. Subject to the terms and conditions of their appointment by the Chief Administrative Officer, the powers and duties of Bylaw Enforcement Officers are to:
 - a. enforce the bylaws of the County within the geographical boundaries of the County;

- b. follow the directions of the Director of Community Services or their designate and report to the Chief Administrative Officer or their designate;
 - c. respond to and investigate complaints and alleged breaches of the bylaws;
 - d. exercise all the powers and duties of a designated officer to conduct any inspections, remedies, or enforcement authorized or required by a bylaw or enactment in accordance with Section 542 of the *Municipal Government Act*;
 - e. exercise all the powers and duties of a designated officer to issue written orders pursuant to Section 545 and 546 of the *Municipal Government Act*;
 - f. issue Notices, warnings, or Offence Tickets;
 - g. comply with all rules, directives, and procedures established by the County or the Director of Community Services;
 - h. follow the directions of the Director of Community Services and the Chief Administrative Officer;
 - i. assist in the prosecution of bylaw contraventions including, but not limited to appearances in court to provide evidence, gathering evidence, preparing files for prosecution, swearing complaints, and other activities as required;
 - j. take the official oath prescribed by the *Oaths of Office Act* upon being appointed as a Bylaw Enforcement Officer;
 - k. carry identification identifying themselves as a Bylaw Enforcement Officer when performing work in that capacity for the County;
 - l. perform all other duties as assigned by the Director of Community Services or the Chief Administrative Officer.
9. The authority of a Bylaw Enforcement Officer terminates when the Bylaw Enforcement Officer is no longer an employee of the County or is no longer contracted by the County to serve as a Bylaw Enforcement Officer. The authority of a Bylaw Enforcement Officer is suspended when the Bylaw Enforcement Officer is subject to a disciplinary suspension.
10. The appointment of a Bylaw Enforcement Officer is revoked when the employment or other relevant contractual relationship of the Bylaw Enforcement Officer with the County is terminated.

Bylaw Enforcement Officer Misconduct

11. Misconduct for which a Bylaw Enforcement Officer may be disciplined shall include, but not be limited to the following:
- a. Poor performance;
 - b. Absenteeism;
 - c. Discreditable conduct including while off duty;
 - d. Neglect of duty;
 - e. Insubordination;
 - f. Dishonesty or deceit;
 - g. Breach of confidentiality;
 - h. Corrupt practice;
 - i. Unsafe practices;
 - j. Theft;
 - k. Falsification of records;
 - l. Attending work while under the influence of alcohol, illicit drugs or other substances;
 - m. Consuming alcohol or illicit drugs or other intoxicating substances while performing duties;
 - n. Unlawful or unnecessary exercise of authority; and
 - o. Conviction of a criminal offence.

Complaints and Investigations

12. If a person reasonably believes that misconduct has been committed by a Bylaw Enforcement Officer, the person may file a complaint in accordance with this Bylaw.
13. A complaint against a Bylaw Enforcement Officer must:
- a. Be in writing;
 - b. Include the full name and contact information of the complainant, unless the complainant is submitted anonymously in accordance with Woodlands County Policy;
 - c. Include the reasons for the complaint; and
 - d. Be sent to the County Office at:

Woodlands County
PO Box 60, #1 Woodlands Lane
Whitecourt, AB T7S 1N3
Attn: Director of Community Services

14. Where a complaint has been filed against a Bylaw Enforcement Officer, the Director of Community Services may:

- a. Summarily dismiss a complaint that, in the opinion of the Director of Community Services:
 - i. does not comply with Section 13;
 - ii. does not raise an allegation of misconduct by a Bylaw Enforcement Officer; or
 - iii. is frivolous or vexatious.
 - b. conduct an investigation into the allegations of misconduct, or cause an investigation into the allegations of misconduct to be conducted.
- 15. If the Director of Community Services summarily dismisses a complaint, the Director of Community Services shall send written notice of the dismissal to the complainant, specifying:
 - a. the reasons for dismissal; and
 - b. advising the complainant of the right to request a review of the decision by the Chief Administrative Officer in accordance with Section 22 of this Bylaw.
- 16. Despite not receiving a complaint, if the Director of Community Services has reason to believe a Bylaw Enforcement Officer has committed misconduct, the Director of Community Services may investigate the possible misconduct;
- 17. Should an investigation be initiated, during the investigation into the allegations of misconduct, the Bylaw Enforcement Officer will be informed of the nature of the allegations in sufficient detail to permit the Bylaw Enforcement Officer a reasonable opportunity to provide relevant facts or explanations related to the allegations of misconduct.
- 18. The Director of Community Services may investigate a complaint in the manner the Director considers appropriate and may, but is not required to, hold a hearing into the matter.
- 19. A Bylaw Enforcement Officer may be placed on administrative leave while an investigation is conducted into allegations of misconduct.
- 20. When the investigation into an allegation of misconduct of a Bylaw Enforcement Officer has been completed and misconduct is found, the Director of Community Services shall decide what disciplinary action will be taken. Disciplinary action may include, but is not limited to:

- a. written warning;
- b. suspension; or
- c. termination.

The Director of Community Services' written decision, with reasons, shall be provided to the Bylaw Enforcement Officer and complainant in person, or mailed to their last known address.

21. When the investigation into an allegation of misconduct of a Bylaw Enforcement Officer has been completed and misconduct is not found, the Director of Community Services shall dismiss the allegations of misconduct and provide written notice of the decision, with reasons, to the Bylaw Enforcement Officer and the complainant.

Review of Director's Decision

22. A Bylaw Enforcement Officer or complainant may request a review of the decision made by the Director of Community Services by the Chief Administrative Officer, by submitting a written request for review, with reasons, within 10 days of the decision being provided in person to the person requesting the review, or within 30 days of the decision being mailed to the last known address of the person requesting the review, whichever occurs first. The request for review must:

- a. Be in writing;
- b. Include the full name and contact information of the person requesting the review;
- c. Include the reasons for requesting the review; and
- d. Be sent to the County Office at:

Woodlands County
PO Box 60, #1 Woodlands Lane
Whitecourt, AB T7S 1N3
Attn: Chief Administrative Officer

23. The Chief Administrative Officer may summarily dismiss a request for review that, in the opinion of the Chief Administrative Officer, does not comply with Section 22.
24. If the request for review is not summarily dismissed, the Chief Administrative Officer may conduct the review as the Chief Administrative Officer considers appropriate. The Chief Administrative Officer may, but is not required to, conduct a new investigation or hold a hearing, or both.

25. The decision of the Chief Administrative Officer, in writing and with reasons, will be sent to the Bylaw Enforcement Officer, the person who requested the review, and the Director of Community Services within 30 days of receiving the request for review, or such longer time as may be required and determined by the Chief Administrative Officer. The decision of the Chief Administrative Officer shall be final and binding.
26. If a complainant is not satisfied with the decision of the Chief Administrative Officer following a review under this Bylaw, the complainant may contact the Alberta Ombudsman regarding the matter, subject to the jurisdiction and requirements of the *Ombudsman Act*.

The Alberta Ombudsman is an independent external review body and may review final administrative decisions of municipalities in accordance with its legislated authority.

27. Quarterly Complaint Reporting:
The Director of Community Services shall provide Council with a quarterly report summarizing complaints received under this Bylaw, including the number of complaints received and their status or disposition, subject to applicable privacy and confidentiality requirements.

Community Peace Officers

28. This Bylaw does not regulate or govern the use and activities of Community Peace Officers within the County. Community Peace Officers who have also been appointed as Bylaw Enforcement Officers, when acting in their capacity as Community Peace Officers, are governed by the applicable provincial and federal legislation, regulations, and processes.

General

29. Should any part of this Bylaw be found to have been improperly enacted, for any reason, then such part shall be severable from the remainder of this Bylaw and this Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

Effective Date

30. This Bylaw comes into force upon the date of final passing.

Repeal

31. That Bylaw No. 425/13 and amendments thereto are hereby repealed.

READ a first time this 10th day of September, 2026.

READ a second time this 10th day of September, 2026.

READ a third time this 10th day of September 2026.



Reeve

Chief Administrative Officer