

**ALBERTA BEACH
BYLAW #198-04
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BEING A BYLAW OF THE VILLAGE OF ALBERTA BEACH, IN THE PROVINCE OF ALBERTA, TO CONTROL AND REGULATE OUTDOOR PRIVIES AND TOILET FACILITIES LOCATED ON CERTAIN PROPERTIES WITHIN THE VILLAGE OF ALBERTA BEACH.

WHEREAS, pursuant to the Municipal Government Act, Statutes of Alberta, 1994 Chapter M-26.1, and all amendments to, the Council of the Village of Alberta Beach may pass a bylaw for municipal purposes respecting the health and welfare of people and protection of property.

WHEREAS, the Council of the Village of Alberta Beach wishes to protect the environment and human health from adverse impact and contamination of rivers, streams and lakes.

WHEREAS, certain properties within the Village of Alberta Beach are not currently serviced by an approved outdoor privy and toilet facility, and these properties as a result thereof may pose a threat to the health of residents and to the environment.

NOW THEREFORE, the Council of the Village of Alberta Beach, duly assembled enacts as follows:

Definitions:

1. In this bylaw:
 - (a) "Land Use Bylaw" means the Village of Alberta Beach Land Use Bylaw No. 141-98 and all amendments thereto;
 - (b) "Officer" means a Development Officer, a Special Constable, a Bylaw Enforcement Officer, a Safety Codes Officer of the Village of Alberta Beach or any Peace Officer Sworn in the by the Province of Alberta;
 - (c) "Owner" means the person or persons named on the land title as the registered owner(s) at the time of the offence;
 - (d) "Privy" and "toilet facility" means any toilet, latrine, closet, outhouse or other facility for the disposal of human waste located outside the principal dwelling or commercial building and means any existing outdoor privy or toilet facility and includes pit privies and self-contained units which are constructed and installed with a holding tank, as approved under the provisions of the Alberta Safety Codes Act and Regulations thereunder;
 - (e) "Tank" means any water-tight container for human waste used in conjunction with a privy constructed of concrete or fibre-glass and is a minimum of 1,800 litres in size;
 - (f) "Village" means the "Village of Alberta Beach" a municipal corporation in the Province of Alberta and where the context so requires means the area within the corporate boundaries of the said municipality.

Requirements:

2. On or before October 31, ~~2005~~ ^{2006 (amended by Motion of Council - December 14, 2004)}, all owners of properties with outdoor privies and toilet facilities within the municipal boundaries of the Village of Alberta Beach shall install and maintain a holding tank as approved under the provisions of the Alberta Safety Codes Act and Regulations thereunder for the purpose of sewage treatment and disposal.
3. Effective November 1, ~~2005~~ ^{2006 (amended by Motion of Council - December 14, 2004)}, no owner of a parcel of land within the Village shall have, permit or allow an outdoor privy or any other system for the disposal of sewage on the parcel of land which results in the disposal of sewage into or onto the ground.
4. No person who is the owner of property within the Village shall construct or allow or permit the use of or the continuance of a privy without a holding tank.

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5. No person who is the owner of property within the Village shall allow or permit the use of a privy which contains a tank which has not been installed to the satisfaction of the Alberta Safety Codes Act.
6. As per the Village of Alberta Beach Land Use Bylaw and all amendments thereto, all dwellings and businesses shall be connected to the Tri-Village Regional Sewage Service Commission's sewage system and therefore any new installations of permanent outdoor privies or toilet facilities, septic, holding tanks or fields will not be permitted.
7. The owner of a property, which contravenes this bylaw is guilty of an offence and liable to the penalties as outlined in Schedule "A" attached.
8. A Bylaw Enforcement Officer or any designated officer of the Village of Alberta Beach shall, subject to compliance with the requirements of Sections 542 and 543 of the Municipal Government Act (Alberta) 2000, M26, be entitled to enter any lands within the Village for the purpose of carrying out an inspection to determine compliance with this bylaw.

This bylaw hereby rescinds Bylaw No. 305.

This bylaw shall come into full force and effect upon the third and final reading.


READ a first time this 12th day of October, 2004, A.D.

READ a second time this 12th day of October, 2004, A.D.

READ a third time this 12th day of October, 2004, A.D.



MAYOR, KEN JOLIN



C.A.O., KATHY SKWARCHUK

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SCHEDULE "A"

The owner of a property, which contravenes this bylaw is guilty of an offence and liable as follows:

- (a) for the first offence, to a fine of \$1,000.00, and
- (b) for the second and each subsequent offence, to a fine of \$2,500.00;

And in addition to these fines, for each offence the owner of the property is additionally liable to a fine of \$100.00 per day for each day after November 1, ~~2005~~ that the property remains in contravention of this bylaw. 2006 (amended by Motion of Council - December 14, 2004)