

# PROPOSED

CD2022-0285  
ATTACHMENT 1

## BYLAW NUMBER 17M2022

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 50M2011, THE LICENCE AND COMMUNITY STANDARDS APPEAL BOARD BYLAW \*\*\*\*\*

**WHEREAS** Council has considered CD2022-0285 and deems it necessary to amend Bylaw 50M2011, the Licence and Community Standards Appeal Board Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. Bylaw 50M2011, the Licence and Community Standards Appeal Board Bylaw, as amended, is hereby further amended.

2. In the Preamble, the following is added after the 4<sup>th</sup> paragraph:

“**AND WHEREAS** pursuant to section 14(5) of the *Agricultural Pests Act*, R.S.A. 2000, c. A-8, Council must appoint a committee to hear and determine appeals of notices issued pursuant to that Act;”.

3. In section 6.1:

(a) in subsections 6.1(d)(i) and (ii) the title “Chief Bylaw Officer” is deleted and replaced with “Director”;

(b) in subsection 6.1(1)(d)(iii), the “.” is deleted and replaced with a “;”;

(c) the following is added after subsection 6.1(1)(d) as subsection 6.1(1)(e):

“(e) a decision to

(i) refuse to issue;

(ii) revoke; or,

(iii) impose conditions on

a Dogwalker Permit pursuant to section 11.1 of the Responsible Pet Ownership Bylaw.”

(d) the following is added after subsection 6.1(2) as subsection 6.1(2.1):

“(2.1) Despite subsection (2), only a *person* who applied for, holds, or held a Dogwalker Permit may appeal pursuant to subsection (1)(e).”;

and

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(e) the following is added after subsection 6.1(4) as subsection 6.1(5):

“(5) The *Board* cannot remove or vary conditions that are imposed on the holder of Dogwalker Permit except a condition imposed pursuant to section 11.1(5) of the Responsible Pet Ownership Bylaw.”.

4. The following is added after section 14 as section 14.1:

### “Agricultural Pest Notice Appeals

14.1. (1) The *Board* may hear appeals of inspector’s notices pursuant to section 14 of the *Agricultural Pests Act*, R.S.A. 2000, c. A-8.

(2) A notice of appeal in respect of an agricultural pest notice must be received by the *City Manager*, or sent to the *City Manager* in a manner as specified in the *Agricultural Pests Act*, within the time specified in the notice for taking any measure or 10 days after service of the notice, whichever is less.

(3) A notice of appeal pursuant to this section must be in writing and include:

(a) the name and address of the *appellant*;

(b) a copy of the notice in respect of which the appeal is being taken;

(c) the legal description of the land affected;

(d) the grounds for appeal.

(4) A notice of appeal under this section must be accompanied by a deposit in the amount of \$100, which must be refunded if the appellant is successful in their appeal.

(5) An appeal pursuant to subsection (1) must be heard by the *Board* within 5 days of the receipt of the notice of appeal by the *City Manager*.

(6) Upon hearing an appeal, the *Board* may confirm, rescind or vary the notice that was issued.

(7) The *City Manager* shall, on determination of the appeal, send a copy of the decision to the appellant together with the written reasons, if any, in a manner as specified in the *Agricultural Pests Act*.”.

5. The Agricultural Pests By-law 5M94 is hereby repealed.

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6. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_