BYLAW
Bylaw Number: **960/26**
Bylaw Name: **Boulevard Maintenance**

A BYLAW OF THE TOWN OF BASSANO, IN THE PROVINCE OF ALBERTA, CONCERNING BOULEVARDS, BOULEVARD TREES AND MAINTENANCE THEREOF WITHIN THE TOWN OF BASSANO

WHEREAS pursuant to provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, permits a municipality to provide a system for the establishment and maintenance of public lands including boulevards; and

WHEREAS the Town deems it important to maximize public safety and aesthetic appeal of the Town's boulevards; and

NOW THEREFORE the Council of the Town of Bassano enacts as follows:

1. Short Title

1.1. This bylaw may be known as the "Boulevard Maintenance Bylaw".

2. Definitions

2.1. "Back Alley" means the area at the rear of a property between the portion of road ordinarily travelled by vehicles and the adjacent property line.

2.2. "Boulevard" means the area between the curb line of the street (or in the absence of a curb, the portion of road ordinarily traveled by vehicles) and the adjacent property line, except any portion occupied by a sidewalk usually used for the purposes of utility location.

2.3. "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the Town appointed by Council or designate.

2.4. "Contiguous Boundary" means property which abuts directly onto the roadway, boulevard or back alley.

2.5. "Council" means the Council of the Town of Bassano.

2.6. "Nuisance" means any use of, condition of, or activity on boulevard property which unreasonably interferes with a person's use and enjoyment of the boulevard, demonstrates a disregard for the general maintenance and upkeep of the boulevard, is detrimental to the surrounding area, or is likely to produce a material annoyance, inconvenience or discomfort to person, and includes but is not limited to:

a) Any tree, shrub, other type of vegetation or any structure:
   i. that obstructs any sidewalk adjacent or within the boulevard of back alley;
   ii. that encroaches onto or covers a sidewalk or neighbouring properties; and
   iii. that impairs the visibility required for safe traffic flow at any intersection adjacent to the land or access to the land.

2.7. "Peace Officer" means:

a) a member of the Royal Canadian Mounted Police;

b) a Community Peace Officer as appointed by the Solicitor General of Alberta;
c) a Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town.

2.8. "Property Owner" means the owner of the property adjacent to a boulevard.

2.9. "Sidewalk" means that part of the roadway especially adapted to the use or ordinarily used by pedestrians and includes that part of the roadway between the, or where is no curb line, the edge of the roadway, and the adjacent property line, whether or not it is paved or improved.

2.10. "Town" means the Town of Bassano, a municipal corporation in the Province of Alberta, and where the context so requires, means the area of land within the corporate boundaries thereof.

2.11. "Urban Area" means lands located within the Town on which agricultural operations, including but not limited to the keeping of livestock, are neither a permitted or discretionary use under Bylaws of the Town.

2.12. "Violation Tag" means a notice or tag in the form as approved by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw.

2.13. "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedures Act, Revised Statutes of Alberta 2000, Chapter P-34 and any amendments or regulations thereto.

3. General Maintenance

3.1. A property owner shall maintain any boulevard or back alley adjacent to the property they own or occupy by:

i. Keeping any grass on the boulevard cut to a length of no more than 15 centimeters;
ii. Preventing weeds or other vegetation from growing uncontrolled;
iii. Preventing material or vegetation overgrowth affecting sidewalk, hydrants or other municipal infrastructure;
iv. Removing any accumulation of fallen leaves or other debris;
v. Removing snow and ice from sidewalks and within the immediate vicinity of fire hydrants within 24 hours of a snow event; and

3.2. No property owner or person other than the Town, those contracted by the Town, or an approved contractor of the Town working on behalf of the adjacent landowner, shall build an approach on any portion of a boulevard or back alley unless and until a permit to do so has been issued by the Town.

3.3. The Town shall be responsible for the repair of boulevard sidewalks and fire hydrants.

3.4. The Town will act in accordance with Schedule "A" for maintenance required.

3.5. The Town will accept maintenance requests on a "first come, first serve" basis in alignment with municipal operations.

4. Trees

4.1. No property owner shall plant a tree on a boulevard or back alley except for Town staff or those approved as contractors by the Town.

4.2. Plantings located on boulevards or back alleys that have not been approved by the Town may be removed. The first option will be to allow the property owner responsible for removing the tree. If the Town is required to remove the tree, the cost of the removal will be billed to the property owner responsible for the unauthorized planting.

4.3. A property owner or person shall not remove, destroy or injure a tree that is planted or growing

on a boulevard.

4.4. A property owner or person shall not prune, repair, trim or perform any work on a boulevard tree without written permission from the Town.

4.5. A property owner or person shall after application to the Town and subsequent written approval from the Town, prune, repair, trim or perform any work on a boulevard tree for pedestrians, traffic or road signage up to a height of 3 metres.

4.6. A property owner may request the pruning of a tree over a 3-metre height, anything above this must be in accordance with Occupational Health and Safety standards for work over a certain height.

4.7. Boulevard trees that are deemed dead or diseased by the Town or in the opinion of the Town warrant removal due to interfering with lines, poles, conduits, pipes, sewers or other works of the municipality shall be removed at the Town's expense.

4.8. It shall be at the Town's discretion whether a remaining stump should be removed.

4.9. Boulevard trees that are deemed by the Town to pose a safety hazard to the public or interfere with pedestrians, traffic or road signage shall be removed or pruned to the degree necessary to remove the hazard at the expense of the Town.

4.10. Boulevard trees that are deemed by the Town to pose as a nuisance to the public or interfere with pedestrians, traffic or road signage shall be removed or pruned to the degree necessary to remove the hazard at the property owner's expense.

4.11. A property owner may request the removal of a tree adjacent to their property by submitting an application to the CAO. The Town shall avoid the removal of healthy trees except in extenuating circumstances. If approved, trees that are not deemed dead or diseased by the Town shall be removed at the property owner's expense.

4.12. A property owner may request the pruning of a tree adjacent to their property by submitting an application to the CAO. If approved, trees that are not deemed dead or diseased by the Town or do not qualify for removal based on the criteria listed in section 4.5 or 4.7 shall be pruned or trimmed at the property owner's expense.

4.13. A property may request trees, shrubs or vines, to be planted on the boulevard with approval of the CAO as per Landscape Design Guidelines of the Town.

Type of Trees permitted:

i. Coniferous Trees and Shrubs
ii. Deciduous Trees
iii. Deciduous Shrubs and Vines

4.14. Applications for tree removal or pruning that are denied may be appealed by submitting a written letter to Town Council no later than 14 days after the denial of the application is made. The decision of Council shall be final.

4.15. Removed trees shall be replaced with new trees when desirable at the discretion of the Town.

4.16. No property owner or person shall attach any sign or other device to a boulevard tree.

5. Trees Broken or Uprooted During Storms

5.1. Privately owned trees that are broken or uprooted during storms with the tree or portions thereof falling on a boulevard or other Town property shall be removed by the owner at their expense.

5.2. If the tree is not removed within five (5) days the Town may remove the tree and charge the cost to the owner.

5.3. Should the tree need to be removed immediately for safety reasons, the Town shall call for its immediate removal, failing which the Town will remove it and charge the cost to the owner.

6. Authority of the CAO

6.1. Without restricting any other power, duty, or function granted by the Bylaw, the CAO may:

a) carry out any inspections to determine compliance with the Bylaw;
b) take any steps or carry out any actions required to enforce the Bylaw;
c) take any steps or carry out any actions required to remedy a contravention of the Bylaw;
d) establish forms for the purposes of the Bylaw; and
e) delegate any powers, duties, or functions under the Bylaw to a Town employee.

7. Penalties and Enforcement

7.1. No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engage in the enforcement of the provisions of this Bylaw.

7.2. Any person who contravenes any provision of this Bylaw is guilty of an offense and is liable on summary conviction to a fine of not more than Ten Thousand ($10,000) Dollars.

7.3. Where there is a specified penalty listed for an offense in Schedule "A" to this Bylaw, that amount is the minimum specified penalty for the offense.

7.4. Where a person contravenes the same provision of this Bylaw three (3) or more times within one twelve (12) month period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in Schedule "A" for such offenses.

7.5. In the case of an offense that is of a continuing nature, a contravention constitutes a separate offense in respect of each day or part of a day on which it continues.

7.6. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs from which that person is liable under the provisions of this Bylaw or any other bylaw.

7.7. Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw may issue and serve:

a) a violation tag allowing payment of the specified penalty to the Town; or
b) a violation ticket allowing payment according to the provisions of the Provincial Offenses Procedure Act, Revised Statutes of Alberta 2000, Chapter P-34 and amendments thereto.

7.8. Service of a violation tag will be sufficient if it is:

a) personally served; or
b) served by regular mail to the person's last known mailing address.

7.9. If a violation ticket is issued in respect to an offense, the violation ticket may:

a) specify the fine amount established by this Bylaw for the offense; or
b) require a person to appear in court without the alternative of making voluntary payment.

7.10. A person who commits an offense may:

a) if a violation ticket is issued in respect of the offense; and
b) if the violation ticket specified the fine amount established by this Bylaw for the offense;

make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the provincial courthouse specified on the violation ticket.

8. Severability

8.1. Should any provision of this Bylaw be found invalid, the invalid provision shall be severed, and the remaining Bylaw shall be maintained.

9. General

9.1. Any person who contravenes any provision of this Bylaw by:
   a) doing any act or thing which the person is prohibited from doing; or
   b) failing to do any act or thing the person is required to do.
   is guilty of an offense and any offense created pursuant to this Bylaw is a strict liability offense for the purposes of prosecution under this Bylaw.

9.2. Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaws(s), or any requirement of any lawful permit, order, or license.

9.3. Words in the singular include the plural and words in the plural include the singular.

9.4. Schedule "A" shall form a part of this Bylaw and may, from time to time, be amended.

9.5. No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude the Town from pursuing any other remedy in relation to a premises as provided by the Municipal Government Act, or any other law of the Province of Alberta.

10. Enactment

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

EFFECTIVE DATE AND READINGS

READ a first time in council this 8th day of June 2026.

READ a second time in council this 13th day of July 2026.

READ a third and final time in council this 13th day of July 2026.

TOWN OF BASSANO

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

SECTION	OFFENSE	PENALTY	
		1st Offense	Subsequent
3.1 i)	Maintenance of lawn with height over 15 centimetres	$100	$250
	Boulevard	$10/lineal meter	
	Back alley	$10/lineal meter	
3.1 ii)	Vegetation control (as assessed)	$250	$500
3.1 iii)	Debris cleaning	$250	$500
3.1 iv)	Snow and ice removal or treatment	$250	$500
	Sidewalk snow	$10/lineal meter	
	Sidewalk ice treatment	$10/lineal meter	
4.1/4.2	Illegal planting	$250	$500
4.3	Tree growth interference	$250	$500
SECTION	**MAINTENANCE**	**Percentage of Cost (%)**	
		Property Owner	**Town**
3.2	Approach construction	100	0
3.3	Boulevard infrastructure		
	Asset replacement - sidewalk or hydrant	0	100
	Asset damage incurred by property owner	100	0
4.2	Planting without a permit removal of vegetation	100	0
4.4	Tree maintenance - boulevard or back alley	50	50
4.5	Dead or interfering tree removal	0	100
4.6	Stump grinding or removal	100	0
4.7	Tree safety hazard	0	100
4.9	Tree removal upon property owner request	75	25
4.10	Property owner request for maintenance	50	50

***Maximum of 3 warnings if action corrected. After 3rd warning automatic 1st Offense Penalty**