

SUMMER VILLAGE OF BIRCHCLIFF FEES & PENALTIES BYLAW BYLAW #261-25

A bylaw of the Summer Village of Birchcliff in the Province of Alberta to establish the fees to be charged to provide information regarding taxes, assessment, overweight vehicles, development, and general office services. This bylaw also establishes the fees to be charged for offences to the Land Use Bylaw.

WHEREAS pursuant to the authority conferred upon it by the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, the Council of the Summer Village of Birchcliff, in the Province of Alberta has the power to impose certain charges for the issuance of information on taxes, assessment, development and general office services;

AND WHEREAS it is deemed necessary and expedient by the Municipal Council of the Summer Village of Birchcliff to impose certain charges for the issuance of certain information and documents;

AND WHEREAS it is deemed necessary and expedient by the Municipal Council of the Summer Village of Birchcliff to impose certain charges for development offences and infractions;

NOW, THEREFORE, THE COUNCIL OF THE SUMMER VILLAGE OF BIRCHCLIFF, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This by-law may be referred to as the fees for office services and development offences.
2. In this by-law:
 - a. "Administrator" means the Chief Administrative Officer of the Summer Village.
 - b. "Council" means the Municipal Council of the Summer Village of Birchcliff.
 - c. "Designated Officer" shall mean a Designated Officer within the meaning of the Municipal Government Act or any person authorized by the Summer Village to act in their place for the purposes of enforcing this Bylaw.
 - d. "Fees" means the charges established in schedule A of this by-law.
 - e. "Low Impact Development" means development of a very limited scale and impact, typically involving minor improvements, maintenance, or repair, including but not limited to the replacement of more than 60% of exterior siding or roofing material, tree removal, or minor landscaping and similar activities, as determined by the Development Authority.
 - f. "Minor Development" means development of a limited scale or impact, including but not limited to accessory buildings, decks, fencing, landscaping, and other similar forms of development as determined by the Development Authority.
 - g. "Major Development" means development of a larger scale, intensity, or potential impact, including but not limited to new principal buildings, significant site alteration, changes of use, or developments requiring a higher level of review by the Development Authority.

Low Impact	<ul style="list-style-type: none"> • Sign • Recreational Vehicle • Tree Removal • Replacement of more than 60% of exterior siding or roofing material
Minor	<ul style="list-style-type: none"> • Temporary Building • Accessory Building under 72.0m² (796.5ft.²) (<i>detached garage, shed, gazebo etc.</i>) • Demolition • Deck • Building Addition under 72.0m² (796.5ft.²) • Water well, or septic installation • Fence, Wall, Gate, or other means of enclosures • Driveway • Building Relocation • Hot Tubs, Pools, & Decorative Ponds • Home Occupation, minor • Landscaping under 40% of the lot size, that includes parcel coverage, or drainage alterations
Major	<ul style="list-style-type: none"> • Dwelling • Guest House, Suites, Secondary Suites • Escarpment Development • Accessory Building over 72.0m² (796.5ft.²) • Building Addition over 72.0m² (796.5ft.²) (<i>detached garage, shed, gazebo etc.</i>) • Landscaping over 40% of the lot size that includes stripping, re-grading, and the use of mechanized equipment • Home Occupation, major • Change of use, discretionary, or requiring a variance

3. Any person is guilty of an offence who:
 - a. Causes, allows or permits a contravention of any provision of this Bylaw or any permit issued hereunder;
 - b. Erects or places a sign in contravention of this Bylaw;
 - c. obstructs or hinders any person in the performance of their duties under this Bylaw; or
 - d. Fails to comply with any order of the Development Officer, including a Stop Order issued under Section 645 of the Act.
4. In the case of a continuing offence, a contravention of this bylaw constitutes a separate offence with respect to each day or part of a day during which the contravention continues. A person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each separate offence.
5. Any person, who contravenes any provision of the Bylaw, is guilty of an offence and is liable to fines as specified in the Municipal Government Act RSA 2000 Chapter M-26 and amendments thereto.
 - a. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each 14-day period, or part of a 14-day period, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established in this bylaw for each 14-day period.
6. Where a Designated Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, the Officer may serve upon such person an offence ticket allowing the

payment of the penalty to the Village in lieu of prosecution for the offence under the Act.

7. The penalties and amounts payable in lieu of prosecution to be charged by the Village on all applications and other matters arising under this Bylaw shall be specified by bylaw.
8. The levying and payment of any penalty or fee as provided for in this Bylaw should not relieve a person from the necessity of paying any fees, charges or costs for which they are liable under the provisions of this Bylaw or Act
9. A person who violates the provisions of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liable to a fine or first offence and for each subsequent offense as specified in Schedule A.
10. If the penalty is not paid, the person may be liable for imprisonment for not more than one year, or to both fine and imprisonment, as identified in Section 7 of the Act, as amended.
11. Nothing in this Bylaw prevents a Designated Officer from issuing a Stop Order, or from pursuing other enforcement or remedy provisions available under the Municipal Government Act or any other applicable legislation.
12. Any person who violates the same regulation within 12 months after the date of the first contravention, is liable to the specified penalty for such second, third, or subsequent offence in the amount set out in Schedule A.
13. That this bylaw shall come into full force and effect as, on and from the date of the final passing of same. Bylaw #209-18 is hereby rescinded.

READ a first time this 26th day of February 2026.

READ a second time this 16th day of April 2026.

READ a third time and passed this 16th day of April 2026.

Roger Dufresne, Mayor

Tanner Evans, CAO

SCHEDULE “A”

Stage	Description	Details	Fee
1. General Information Requests:			
	Compliance Certificate	Verifying property compliance.	\$100.00
	Tax Certificate	Written confirmation of tax status.	\$50.00
	Tax Search	Property Assessment information.	\$50.00
	Additional Information	Manual compilation not readily available.	\$50.00/hour (1hr. minimum)
2. Development Permit Applications:			
General	Development Permit – Low Impact	Low Impact applications	\$50.00
	Development Permit – Minor	Minor applications	\$250.00
	Development Permit – Major	Major applications – Base fee (up to 1,500 ft. ² (139.25m ²))	\$500.00
		If over 1,500 ft. ² (139.25m ²) additional fee required	\$0.25/ft. ² \$2.69/m ²
		Geotechnical report review additional fee	\$300.00
Municipal Planning Commission Meeting Required	Discretionary Use, or Variance request	Minor applications	\$400.00
		Major applications	\$600.00
Inspections	Inspections – Low Impact	Low Impact inspection	\$50.00
	Inspections – Minor	Minor inspections	\$100.00
	Inspections – Major	Major inspections	\$100.00 + \$0.25/ft. ² \$2.69/m ²
	Inspections - Geotechnical	Geotechnical inspections	Additional \$200.00
	Stairs / Access on Municipal Reserve	Inspections from private property to lake across ML	\$100.00
	Re – Inspection Fee	Additional inspection due to non-compliance	\$150.00 per inspection
3. Development Permit Post-Approval/Changes:			
Amendments	Amendments – Minor	Significant changes (Development Authority discretion)	\$300.00
	Amendments – Major	Significant changes (Development Authority discretion)	\$400.00

Extensions	Extension – Minor	6-month time extensions request	\$150.00
	Extension – Major	6-month time extension request	\$400.00
4. Development Compliance & Enforcement:			
	Stop Order/Compliance Enforcement – Low Impact & Minor	Administrative cost recovery	\$300.00
	Stop Order/Compliance Enforcement – Major	Administrative cost recovery	\$400.00
5. Development Permit Appeals:			
	Subdivision, Development & Appeal Board Fee	Appeal of a decision of the Development Authority	\$1,000.00 base fee + \$300.00 (if a geotechnical review is required)

Offence	Section	Penalties	
Fail to obtain a Development Permit	Bylaw 258-25 (5.1)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Fail to comply with a Development Permit/Development Conditions	Bylaw 258-25 (8.3)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Failure to contain construction materials/refuse and silt	Bylaw 160-11 (8)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Continuing development after a Development Permit expires, is cancelled, or is suspended	Bylaw 258-25 (5.9)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Unauthorized work, use, development or alterations to the escarpment area.	Bylaw 258-25 (8.3)	Offence	\$10,000.00
Display unapproved advertising signage	Bylaw 258-25 (5.2)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
The placement of a recreational vehicle on a lot without a Development Permit when required	Bylaw 258-25 (9.18)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Over-height fence or exceeding visual access without a Development Permit	Bylaw 258-25 (9.7)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Unauthorized tree removal (<i>this offence does not apply to the removal of tree(s) that are dead, decaying, or pose a safety hazard, as identified in the Tree Removal Bylaw, where a Development Permit is not required</i>)	Bylaw 258-25 (9.20) & Bylaw 175-14	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00
Unauthorized work, use, development, tree removal, or alterations to municipal land including carriageways, and roads	Bylaw 258-25 (9.17)	First Offence	\$1,500.00
		Second Offence	\$2,500.00
		Third & Subsequent	\$5,000.00

Placement of a sea can in a residential district in a manner not provided for in the Land Use Bylaw	Bylaw	First Offence	\$1,500.00
	258-25	Second Offence	\$2,500.00
	(9.21)	Third & Subsequent	\$5,000.00