

# AMEA ON THE STREET

<http://www.amea.ca/>

The Official Newsletter of the Alberta Municipal Enforcement Association

## Bylaw Officer Reflects On First Year

By Heather Heinrichs

From home-made port-a-potties to a problem with a honey bee infestation, Anna Mast, bylaw enforcement and safety officer, has seen some strange sights at her relatively new job.

She's been the bylaw officer for Cypress County for a year and half now, the first year being a test run. Her official permanent full-time job started on July 1, 2006. Problems had started to arise because the RCMP cannot enforce the county's bylaws, it's not their jurisdiction. But why have bylaws, like the dog bylaw, waste bylaw, unsightly property bylaw or the noise bylaw, if there isn't anyone to enforce them?

"And basically the population as a whole was not happy with that," said Mast. Those four bylaws are what Mast enforces but she's had her share of unusual calls. Like, for example, there was a county resident who's neighbours



reported that he had dug a hole on his property and put a toilet seat on it.

"He dug a hole in the middle of the property and set up a toilet there," she said. "Some

### Unsightly Property From Hilda

people had phoned in wondering what had happened. . . Well, there's nothing in the bylaws that covers that." It's just one of the situations that aren't part of her job but that she gets calls for anyway.

"I had a woman who lived out on an acreage and she lived near those honey bees. And one of the queen bees must have got close to her house and resided on a post so then a gazillion other bees came over and resided on this post and it was just covered in bees. And she had a couple of kids." So she calls Mast but Mast doesn't have much training under her belt yet and doesn't know who to call and there's nothing she could do. In the end, Mast contacted the bee hive owner to get the situation dealt with.



Anna Mast  
Bylaw Officer for Cypress County

"I'm out a lot, dealing with different people and meeting on a one-on-one basis. Different situations," she said. "Every day is different. Some days I'm in the office doing paperwork and then other days, I'm out and I'm gone all day just going from one call to another and it's like, well is there a full moon out?"

It's been a steep learning curve for Mast as the first person on the job for the county. She's been laying the foundation for the new position. "I've really gotten to know the county 10-fold since the last year and a half," she said. "There's lots of interesting people out there and I really am happy with my job. I really like it."

Mast grew up in Medicine Hat and now has a family here as well. She and her husband, who works as a paramedic, have two children, Hope, 9, and Gabriel, 6.

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"That (enforcement) was what I had my training for, it just turned out that when I was done my training I was employed here and an opportunity came up (and) I took it. I was starting a family and I was happy here, so I didn't venture out to pursue a career in law enforcement." Mast has her criminology diploma from Mount Royal College, but she was already employed in Medicine Hat at an administrative job. She was offered the bylaw officer job as a one-year, trial position, which made it very easy for her to step out because if the trial job didn't work out, she had her administrative job to fall back on. And she's enjoyed the change it ever since.

"I found my niche I guess you could say." But she's had to change too, especially in the way she thinks because in her previous job, in administration, she was always dealing with people in a positive manner but now she's in enforcement which can be quite the opposite. Some people become defensive right away, even before she's spoken to them. "I've had to train my thinking to not be so naive when coming up to people's houses. . . I'm coming across as a threat just pulling up to their property." Mast does not carry a gun but she does not hesitate to call for back up from the RCMP when it's needed.

"What I have found so far in dealing with infractions of the bylaws, is that it's usually the same people that the RCMP have had to deal with in other criminal situations. . . So since I've started this (position) I've had really close ties with the RCMP in terms of backup."

Most of her safety comes from letting other staff know where she is, and if it's a more serious or threatening situation, she talks to a dispatch company and tells them where she is, what house she is going to and how long she will be before checking back in with the company.

"I've learned over the course of a year that I let everybody know where I'm at and we have a standard working alone procedure in the office already. . . If I let the office know and I feel I'm in a working alone situation, like say I'm up in Hilda by myself, I let everybody know where I'm at. But if I'm in Hilda and I feel I'm at a location I'm not sure about. . . I let the dispatch know what location I'm going to and then I'm on a timer and they check up on me." Although Mast does go out to all corners of the county, she has limits on who she can enforce bylaws on. For example, the dog bylaw can only be enforced on country residential property and in hamlets. The same goes for unsightly properties.

"So if it's a farmstead and it's zoned agriculture and there's a dog running loose, I cannot enforce that." She makes routine patrols and tries to get out to each hamlet once a week or at least once every two weeks for the hamlets



#### Animal Complaint Case In Red Water Alberta

further away from the office in Dunmore. She also patrols the country residential acreages sometimes, especially if there's been a problem recently in one of those areas.

"Just to drive around so everybody knows there's someone out, someone watching, patrolling. I may not find anything but I've had some comments from people like, 'Oh I saw you out the other day, thanks.'" she said. Because most of the residents had wanted the bylaws enforced, Mast has had a warm welcome from many people. "It's been very positive. There's lots of good comments."

Of course, the residents that are breaking the bylaws aren't always so happy to see her truck pull into the yard. "There's a lot of unsightly properties that have existed for many years and now I'm going out and telling them to clean it up." But she hasn't found that she'd had to be overly forceful. After a first warning, Mast sends a letter with a second warning and so far, she hasn't found many people that put up a fuss after that. And sometimes, she gets called out simply because two neighbours can't get along and her phone rings for every bylaw infraction they can find.

"I've had to do a lot of PR with three or four neighbours in particular and almost once a week, I go sit down and talk with them. . . because issuing fines doesn't help in that situation."

So far, Mast said she's been busy in the summer months with bylaw enforcement but in the winter, things quiet down. That gives her time to look after the safety officer part of her job, which is training she gives to other Cypress County employees. She also works as an extra traffic controller in emergency situations, like collisions, which aids the RCMP quite a bit because allows them to do policing work instead of directing traffic.



# When you think you are right, you should still listen, because, no one is perfect!

by Nil Desperandum

Municipal Enforcement Officers are, generally speaking, and almost as a job requirement, somewhat fixed in their views. This is not a bad tendency when you are right...somewhat different when you are part of the system, and the system in place is proven wrong!

Many years ago, the section in which I later served, would declare a property untidy and unsightly and using the Nuisance Bylaw, would 'clean up' the property...in a very small number of instances, fortunately. By the time I arrived on the scene the section was working on a particularly difficult case, one of those cases where the complainant was as stubborn (?) as the property owner. Both knew 'people in high places'; the case was not particularly strong but the process was followed through up to the point where the property was declared 'untidy and unsightly' and all the necessary letters had gone out indicating the city would take the appropriate action if the problem was not resolved.

Then from stage left enters a lawyer...and in his letter he said simply, politely and to the point, "you can't do that because you do not have the power..." Nonsense was our internal response, when it was done, it was always done this way"...but ...because sometimes lawyers do know of what they speak (!), we decided we should look at his argument a little more closely!!

The end result...the section no longer declared properties 'u and u'; this decision was made by a committee of council and the property owner was invited to appear before the committee. The whole process was streamlined and was still working well over ten years later. This process, of course, made for some interesting meetings...but that is another story.

So, even though you have followed a process for years, if someone makes a suggestion, politely or otherwise, that it should/could be changed, take time to investigate. Perhaps what is being suggested is valid!

## Animal Control Committee Update

On January 31, 2007, the newly formed Animal Control Committee met for the first time to discuss animal control in Alberta. The committee consists of John Wilson (Chairperson), Education Officer for the association; Vanessa Ergang, Treasurer for the association; Clarence Nelson, Special Constable with the Town of Beaumont; Karen Pasay from Redwater; and Tammy Francis and Doug Collinson from Animal Control with the City of Edmonton. These members were selected because each brings valuable and complimentary experience, training and skills to the committee.

As discussed at the 2006 Annual General Meeting, this committee was revived to address the lack of training and standards in animal control practices in our province. Numerous topics were discussed at the first meeting including short-term and long-term goals, what services the committee can provide for officers and municipalities, and partnerships that the committee should pursue with other organizations.

Initially, the group has decided to identify some modest, achievable goals and then build upon small successes before tackling some of the larger more long-term goals. To this end, the first step, which has been approved by the

association executive, is to develop a two-day basic animal control training course to be offered at the 2008 AMEA Annual Conference and Training Seminar. This course will focus on basic competencies required by Animal Control Officers.

The committee will be working on identifying and developing course content in coming months but we also need your help! Please send your ideas, information and suggestions to:

John Wilson,  
email address - [john.wilson@edmonton.ca](mailto:john.wilson@edmonton.ca)

Vanessa Ergang,  
email address - [vergang@westlockcounty.com](mailto:vergang@westlockcounty.com)

Alternatively, if you will be attending the 2007 AMEA Annual Conference and Training Seminar look for the Animal Control roundtable and share your ideas with Tammy Francis who will be your facilitator. Let's work together to make this important initiative a success.

Thank you  
John Wilson, Education Officer  
Chairperson, Animal Control Committee

March 2007

# Cigar Store Owner Beats Smoking Rap

## Judge finds customers may have been smoking herbal cigarettes, not tobacco

Bill Mah  
Edmontonjournal.com

Thursday, January 25, 2007

A cigar-store owner who was fined for breaking Edmonton's smoking bylaw had the tickets thrown out today because he might have been smoking non-tobacco herbal cigarettes.

Judge David McNab of provincial court made it clear he was not passing judgement on smoking legislation but ruling only on the evidence before him.

"This is not a pronouncement on the bylaw itself," McNab said. Chris Hansen, of Burlington on Whyte, faced two \$250 charges after a bylaw officer spotted ashtrays one containing butts on the shop's counter on Aug. 4, 2005. The same officer saw Hansen and four others smoking in the store on Aug. 15, 2005. The business itself was also charged.

David Aitken, the city's director of complaints and investigations, said the ruling shouldn't affect the bylaw's enforcement. "The judge found some reasonable doubt," Aitken said.

"If Mr. Hansen was smoking herbal cigarettes he could have spared himself and us some time and money by telling us at the time it was a herbal cigarette."

Under cross-examination by the defence, the city bylaw officer who witnessed smoking in the shop agreed he could not be sure Hansen was smoking a tobacco or herbal cigarette.

"If he can't be sure, this court can't be certain," McNab said.

Defence witness Arif Charania, a tobacco product wholesaler, also testified he supplied Burlington on Whyte with herbal cigarettes that people may use to an aid to quit smoking tobacco.

The case would normally have been heard by a traffic commissioner but was moved to provincial court because Hansen's lawyer was planning to challenge the smoking bylaw under the Charter of Rights.

One section of the bylaw prohibits business owners to "permit ashtrays to be placed or to remain in that place" where smoking is banned.

Defence lawyer Ronald G. Hopp said after the trial he was prepared to argue that the right of free expression includes "commercial expression" and displaying ashtrays is a form of expression.

He added that the maximum \$10,000 fine or jail time "was horrendous for an act so innocuous." But Hopp didn't get a chance to present his charter arguments when city lawyer Deborah Fisher withdrew the ashtray-related charges after the judge dismissed the smoking tickets.

[bmah@thejournal.canwest.com](mailto:bmah@thejournal.canwest.com)





# Notice Of Motion

The Executive Committee of the Alberta Enforcement Association hereby gives notice of proposed amendments to the Constitution and Bylaws of the Association. These proposed amendments will be balloted on by the membership at the Annual General Meeting on Thursday, May 17, 2007 in the Capri Hotel, Trade and Convention centre in Red Deer, Alberta.

The proposed amendments are intended to remove direct references to Special Constables from the body of the Constitution and Bylaws, do some 'housekeeping' in the definitions section, clarify public officers in Municipal Enforcement in the Constitution and to add a definition for Municipal Enforcement Officer to the Bylaws.

## Proposals:

That the references to Special Constable found in Sections 1(a) and 1(b) of the Bylaws be removed.

That the Section 23. Definitions in the Bylaws be reformatted and rewritten to include definitions for singular/plural words, gender inclusion and Municipal Enforcement Officer. The proposed definition for Municipal Enforcement Officer is as follows:

"Municipal Enforcement Officer" means a designated officer employed and appointed in an enforcement capacity by an employer of Municipal Enforcement Officers authorized pursuant to the Municipal Government Act. This includes Bylaw Enforcement Officers, Special Constables and Community Peace Officers.

That Section 2 (a) of the Constitution be rewritten to clarify who the association represents. The proposed changes would reword this Section thus:

"To bring together Municipal Enforcement Officers throughout Alberta for the purpose of mutual co-operation and assistance in the establishment of standards of enforcement in their respective fields."

# Faith Woods



Ian sleeping!

Faith Woods and John Wilson

## All In A Days Work!

Call comes in big black dog running across the golf course. Caller states it has to be the Great Dane that lives 3 doors down looks just like him. I respond to catch "thunder" walking across the course I'm yelling THUNDER THUNDER HERE THUNDER, was I ever surprised when it turned out to be a moose. Guess I couldn't catch that on the end of my rabies poll.

The Second one is when the call comes in and states the neighbors little white dog that lives down the street is sitting on the side of the road on the snow bank and you should do something before the dog freezes, get there it is a rabbit. LOL

All in a days work.

**Karen Pasay**  
Bylaw Enforcement Officer  
Town of Redwater





# Alberta Municipal Enforcement Association

27 YEARS SERVING ALBERTA COMMUNITIES

## Annual Conference & Training Seminar

To enhance and promote the profession of municipal enforcement through education, training and collaborative interaction

May 14, to May 18, 2007

Capri Hotel and Conference Centre  
3310 - 50 Avenue, Red Deer, Alberta T4N 3X9

Monday, May 14 and Tuesday, May 15

### UNSIGHTLY PREMISES

8:30 am 4:30 pm

The AMEA is pleased to present this two day workshop on dealing with unsightly properties. Topics covered will include policy and procedure development, nuisance bylaws, unsightly properties in the MGA, right of entry, appeals and conducting remedial action and more. If your mandate includes dealing with unsightly properties, do not miss this course.

Tuesday, May 15

### Conference Registration and Trade Show

6:00 p.m. till 10:00 p.m.

Food courtesy of Whyte Communications

Wednesday, May 16

### Round Table Discussion

8:30 am 12:00 pm

**Animal Control** An opportunity to discuss animal handling techniques and other control and enforcement matters.

**Legal** - A veteran lawyer will answer questions and discuss relevant issues.

**General Bylaws** Any and all questions, issues and emerging problems can be addressed here.

When you attend the conference you are free to choose any of the following seminars that are of interest.

### Barbecue and Social Evening

This function will be held at a location outside the conference hotel.

A Bus leaves hotel at 5:45 pm to take conference attendees to the function.

### Smoke Free Places Act

1:00 pm -3:00 pm

A representative from the Tobacco Reduction and Problem Gambling Unit and will provide an insight into the latest amendments to the act and what effect the amendments have on Municipalities.

### Officer Safety

3:15 pm - 4:45 pm

Please join Sgt. Ray Hogan of the Edmonton Police Service Officer Safety Unit for a presentation on conducting vehicle stops. This particular activity is potentially one of the most hazardous functions of a municipal enforcement officer. Do you conduct vehicle stops as part of your job? If the answer is yes you need to attend this workshop.

### Violation Ticket Process

1:00 pm 4:45 pm

Have you ever had a ticket quashed because of an error? Are you sure that ticket should be a part 2 or a part 3? Join City of Edmonton lawyer Brian Loewen for a presentation on the correct preparation of Violation Tickets. Bring a pen and be prepared to write a ticket there will be a test at the end!

# Annual Conference & Training Seminar

To enhance and promote the profession of municipal enforcement through education, training and collaborative interaction

Thursday, May 17

## Mock Court

8:30 am 12:00 pm

Join representatives from the law firm of Reynolds, Mirth, Richards and Farmer as they explore common issues that arise with bylaw matters in the court environment. This session will include an interactive scenario-based mock court trial highlighting important lessons for Municipal Enforcement Officers who attend court as part of their duties.

## Animal Control

8:30 am 10:15 am

Is that dog smiling at me or snarling? Will he bite? Why is he wagging his tail? Animal Control Officer Tammy Francis (That's right, the AMEA's very own lizard lady!) will discuss how to communicate with dogs to decrease your chances of being bitten, send calming signals and understand what both of you are saying to each other. The session will end with an interactive opportunity to try out some tools of the trade to help you control dogs effectively.

## Annual General Meeting Starting at 1:15 pm

## Continuing Education

10:30 - 12:00 pm

We all require training, certification and education to perform our jobs but what else is available to Municipal Enforcement Officers? There are a number of certificate, diploma and degree courses available but which one will help you attain your career goals? This session will explore some of the programs offered by post secondary education institutions in our province.

## AMEA Banquet and Awards Ceremony

Cocktails served at 6:00 p.m. The Banquet is Semi formal

Friday, May 18

## The Peace Officer Act

9:00 am - 12:00 pm

We are pleased to announce that at this year's conference Matt Barker the Manager of the Special Constable/Peace Officer Program will be giving a presentation on the new Peace Officer Act. Come find out what it means to you and how it will affect you. What are the new regulations going to mean to your uniform, vehicle markings or your appointments. After the formal presentation there will be plenty of time for open discussion on this very important change.

Your Executive is looking forward to seeing you:

Bev Bentley - President  
Fred Crittenden - Vice President  
Mitch Fast - Secretary  
Vanessa Ergang - Treasurer  
John Wilson - Education Officer  
Ian Cohen - Membership Officer  
Heather Rann - Publicity Officer



Visit the AMEA Web Site at <http://amea.ca/>

# Registration Form

CONFERENCE COSTS	Remittance
<b>FULL CONFERENCE and the UNSIGHTLY PREMISES COURSE</b> May 14 to 18 Members \$410.00 Non Members \$510.00	
<b>CONFERENCE Only</b> May 16, 17, 18 Members \$270.00 Non Members \$320.00	
<b>UNSIGHTLY PREMISES COURSE Only</b> May 14 & 15 \$210.00	
<b>Any Single Day Of The Conference</b> Members \$200.00 Non Members \$250.00	
Extra Banquet or Barbeque Tickets \$35.00	
Total cost for attendee	

The Capri Hotel is located off of Highway #2, Use 32nd Street off ramp. East on 32nd Street approximately 1.5 km Capri Centre is on your left at intersection of Gaetz Avenue and 32<sup>nd</sup>

Due the popularity of courses offered by the AMEA please register early.

Conference fees include the May 16<sup>th</sup> Barbeque and the May 17<sup>th</sup> AMEA Banquet and Awards Ceremony

Please make Cheques payable to:

Alberta Municipal Enforcement Association  
 c/o  
 Vanessa Ergang  
 10336-106 St., Westlock, AB T7P 2G1

For further conference information contact:

Bev Bentley - President  
 (780) 865-2455  
 or  
 John Wilson - Education Officer  
 (780) 496-5216



Remove registration form here

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Municipality: \_\_\_\_\_

Contact number: \_\_\_\_\_

Please remove this section  
and return with fees

Attendees are responsible for their own accommodations  
 For the best rates and room selection, register prior to April 15/06

Capri Centre, Red Deer Alberta  
 For Room Reservations Call  
 Toll Free 1-800-662-7197  
 Tel: (403)-346-2091  
 Fax: (403) 346-4790  
<http://www.capricentre.com/>



# 2007 New Member Application

Current Members will be sent out a renewal notice

Surname: \_\_\_\_\_

Given Names: \_\_\_\_\_

Enforcement Jurisdiction: \_\_\_\_\_

City/Town: \_\_\_\_\_

Section/Division: \_\_\_\_\_

Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Telephone: \_\_\_\_\_ Home Telephone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

I hereby make application for membership in the Alberta Municipal Enforcement Association and agree to uphold the constitution and bylaws of the Alberta Municipal Enforcement Association.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2007

Signature of Applicant: \_\_\_\_\_

Yearly dues of \$50.00 per member must accompany the application.  
When submitting payment for more than one applicant please make sure that all pertinent information for each applicant is included.

Make cheques payable to the  
Alberta Municipal Enforcement Association  
c/o Vanessa Ergang  
10336-106 Street  
Westlock, AB  
T7P 2G1

# We Need Your Help With Our Web Page And Newsletter

PLEASE SEND ME ITEMS THAT MIGHT BE OF INTEREST TO THE OTHER MEMBERS.  
Send your articles to Heather Rann at [hearan@medicinehat.ca](mailto:hearan@medicinehat.ca)

## Some ideas are:

- Examples of a difficult case that you may have had to use some unorthodox methods to solve.
- Interesting cases that you don't usually see every day.
- Photo's of your vehicles and uniforms.
- Problems that you would like some help with so that the other members might be able to provide ideas on how they would deal with it or a similar situation.

## Participation Page

Your Alberta Municipal Enforcement Association Executive would like to encourage your participation in the renaming of this News Letter.

We are announcing a contest open to all members. The winning name will be eligible for a prize. All Submissions need to be sent to Heather Rann by email @ [hearan@medicinehat.ca](mailto:hearan@medicinehat.ca). The executive team will review all submissions and pick the winner. We have determined what the prize shall be as of yet, perhaps that will be left a surprise. We are really looking to some thoughtful, insightful and unique suggestions.

In order to keep this newsletter relevant and interesting to read we need your help. The next issue could include some facts about your area. We would love to hear from some rural areas or from anyone who would like to share some experiences with us. For those who are able to attend the annual conference you know the value of networking with others. For those whom have not had that opportunity here's the chance to share and learn.

Any ideas or submissions can be sent to [hearan@medicinehat.ca](mailto:hearan@medicinehat.ca)

# Executive Committee



**PRESIDENT:**  
Beven J. Bentley

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Ian Cohen

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