

THE CITY OF EDMONTON
BYLAW 18854
COMMUNITY STANDARDS BYLAW AMENDMENT No. 15

Edmonton City Council enacts:

1. Bylaw 14600, the Community Standards Bylaw, is amended by this bylaw.
2. Section 38.6 is inserted after section 38.5:

PART V.2 ODOURS AND EMISSIONS

**EXCESSIVE
ODOURS AND
EMISSIONS**

- 38.6
- (1) A person shall not engage in any activity that creates odour, emission, smoke, vapour, dust or other airborne matter that is reasonably likely to disturb another individual.
 - (2) A person shall not cause or permit property they own or occupy to be used so that any odour, emission, vapour, dust or other airborne matter from the property is reasonably likely to disturb another individual.
 - (3) In determining if any odour, emission, smoke, vapour, dust or other airborne matter is reasonably likely to disturb another individual, the following criteria may be considered, but is not limited to:
 - (a) the type, frequency, intensity or duration of the odour, emission, smoke, vapour, dust or other airborne matter;
 - (b) the time of day and day of the week;
 - (c) the weather and ambient conditions;
 - (d) the proximity to neighbouring properties;
 - (e) the nature and use of the surrounding area; and
 - (f) the effects of the odour, emission, smoke, vapour, dust or other airborne matter.

3. Section 38.7 is inserted after section 38.6:

- PROSECUTIONS** 38.7 (1) A person may be found guilty of a contravention of section 38.6 whether or not the air quality, particulate levels, or odour is measured.
- (2) In the absence of evidence to the contrary, if the source of the odour, emission, smoke, vapour, dust or other airborne matter is originating from private property or from an activity taking place on private property, the person registered pursuant to the *Land Titles Act*, RSA 2000, c L-4, as the owner of the private property is deemed to be the person causing, permitting, or engaging in the activity that is creating the odour, emission, smoke, vapour, dust or airborne matter.

READ a first time this _____ day of _____ 2019;

READ a second time this _____ day of _____ 2019;

READ a third time this _____ day of _____ 2019;

SIGNED AND PASSED this _____ day of _____ 2019.

THE CITY OF EDMONTON

.....
MAYOR

.....
CITY CLERK