

Agenda 24-19

Regular Meeting of the Council of the Village of Carmacks, Yukon to be held in the Council Chambers of the Carmacks Municipal Building at 7:00 PM on Thursday, October 3rd, 2024.

Zoom Info: Meeting ID: 719 907 0780 Passcode: 643780

1. CALL TO ORDER

2. AGENDA

(motion to adopt)

3. ADOPTION OF MINUTES

(motion to adopt)

3.1 Regular meeting of September 17th, 2024

4. DELEGATION

4.1 RCMP Report

5. CORRESPONDENCE

6. REPORTS

6.1 Council Activity Reports

6.2 Mayor Report

6.3 Finance Report

6.4 Public Works Report

6.5 Recreation Report

6.6 By-Law Enforcement Report

6.7 AYC

7. BYLAWS

7.1 Animal Control By-law 306-24

(Third Reading)

7.2 Traffic & Parking By-law 307-24

(Third Reading)

7.3 Carmacks Volunteer Fire Department By-law 309-24 (First & Second Reading)

7.4 Council Indemnity By-law 310-24

(First & Second Reading)

8. NEW & UNFINISHED BUSINESS

8.1 VoC Policy Review(s):

a) VoC Recreation Subsidy Policy (Tabled until 24-20)

9. QUESTION PERIOD

10. INCAMERA

(motion to go in and out of session and recorded time)

11. ADJOURNMENT

MINUTES FROM THE REGULAR MEETING OF THE COUNCIL FOR THE VILLAGE OF CARMACKS ON SEPTEMBER 17th, 2024, IN THE MUNICIPAL COUNCIL CHAMBERS

PRESENT: Mayor: Lee Bodie

Councillors: D. Mitchell, D. Hansen, H. Belanger
Staff: CAO M. Cybulski, P. Singh
Regrets: Councillor J. Lachance,

ORDER: Mayor Lee Bodie called the meeting to order at 7:00 PM.

AGENDA: Council reviewed the agenda.

24-18-01 M/S Councillors H. Belanger, D. Hansen motioned that the agenda be accepted as presented.

CARRIED

MINUTES: From the regular meeting on September 3rd, 2024

24-18-02 M/S Councillors D. Hansen, H. Belanger motioned that the minutes be accepted as presented.

CARRIED

REPORTS

6.1 Councillor Activity Reports

Councillor D. Mitchell attended AYC meeting at Dawson City.
Councillor D. Hansen described that she also attended AYC meeting at Dawson City.
Councillor H. Belanger described her busy schedule.

6.2 Mayor's Report

Mayor Bodie described how things are going at store.

6.3 ByLaw Enforcement Report

Introduction of new By-law Officer Travis Mortimer to Mayor & Council and he explained his recent activities as By-law Officer.

6.4 CAO Report

CAO Matthew Cybulski presented the CAO report to mayor and council and broke it down verbally.

6.5 AYC

Councillor D. Hansen described that she attended AYC meeting at Dawson City on September 07, 2024 and explained her activities in the meeting.

BYLAWS

7.1. Parks & Open Spaces By- law 305-24

24-18-03 M/S Councillors D. Hansen, D. Mitchell motioned to Give the Parks & Open Spaces By- law 305-24 third reading.

CARRIED

7.2. Animal Control By- law 306-24

24-18-04 M/S Councillors H. Belanger, D. Mitchell motioned to Give Animal Control By- law 306-24 second reading.

CARRIED

7.3. Traffic & Parking By- law 307-24

24-18-05 M/S Councillors D. Hansen, H. Belanger motioned to give Traffic & Parking By- law 307-24 first reading.

CARRIED

24-18-06 M/S Councillors H. Belanger, D. Hansen motioned to give Traffic & Parking By- law 307-24 second reading.

CARRIED

7.4. By-law Enforcement By- law 308-24

24-18-06 M/S Councillors H. Belanger, D. Hansen motioned to give By-law Enforcement By- law 308-24 first reading.

CARRIED

24-18-07 M/S Councillors D. Hansen, H. Belanger motioned to give By-law Enforcement By- law 308-24 second reading.

CARRIED

New & Unfinished Business

8.1 a) VoC Long Term Lease/Rental Policy

24-18-08 M/S Councillors D. Hansen, H. Belanger motioned to accept VoC Long Term Lease/Rental Policy with amendments.

CARRIED

b) VoC Recreation Subsidy Policy

Council Reviewed VoC Recreation subsidy Policy and schedule the discussion for next council meeting.

c) VoC Municipal Advertising Policy

24-18-09 M/S Councillors D. Hansen, H. Belanger motioned to accept VoC Municipal Advertising Policy.

CARRIED

QUESTION PERIOD

No questions from the public.

IN-CAMERA

Motion to move into Closed Meeting in accordance with the Yukon Municipal Act, Section 213 (3) (a) if in the case of a council, the council decides during the meeting to meet as a council committee to discuss a matter.

24-18-10 M/S Councillor H. Belanger, D. Hansen motioned to go in-camera at 8:35PM.

CARRIED

An in-camera discussion by Council regarding a legal matter.

24-18-11 M/S Councillor D. Hansen, D. Mitchell motioned to go out of in-camera at 9:00 PM.

CARRIED

ADJOURNMENT

24-18-12 M/S Councillor H. Belanger, D. Hansen motioned to adjourn the meeting at 9:01 PM.

CARRIED

Mayor Lee Bodie adjourned the meeting at 9:01PM.

Mayor Lee Bodie

CAO Matthew Cybulski

**MONTHLY
MAYOR’S / CHIEF’S
POLICING REPORT
September 2024**

**Carmacks Detachment
“M” Division Yukon**

Canada 



OCCURRENCES	<u>September 2024</u>	Year to Date 2024	<u>September 2023</u>	Year to Date 2023
Assaults (All Categories)	2	33	2	24
Assistance/Suspicious Occurrence	4	37	3	38
Break and Enters	1	5	0	4
Cause Disturbance / Mischief/Breach of Peace	7	58	6	74
Drugs (all categories)	0	3	0	14
Fail to comply with conditions	0	7	1	12
False Alarms	0	33	3	20
Impaired Driving	1	16	5	21
Liquor Act	1	7	1	8
Mental Health Act	2	16	1	24
Missing Persons/Requests to Locate	1	4	0	3
Sexual Assault	0	2	1	8
Thefts (all categories)	2	21	2	17
Traffic (Speeding/Prohibited driver/etc.)	6	59	7	78
Uttering Threats	1	15	2	10
Vehicle Collisions	1	15	3	20
Wellbeing check	2	20	3	16
Other	9	75	1	69
Total Calls for Service	40	426	41	460

Service Calls Involving Alcohol	13	154	15	133
Prisoners held locally	0	10	0	11



Village of Carmacks

P.O. Box 113
Carmacks, YT Y0B 1C0

Finance Department Report September 2024

2024 Property Tax

4 property owners are in arrears, a 2nd letter had been sent out.

Expenditures

Expenditure summary report from September is attached.

Bank Reconciliations

All bank accounts have been reconciled.

Income statement from January to September 2024 is attached.

Grants and Funding

YDAP

Report for the period April-August was submitted and approved by YG. Second payment should arrive next week.

Recreation Summer Camp

Report was submitted on September 26.

Telephone: (867) 863-6271

Fax: (867)863-6606

Email: info@carmacks.ca



Village of Carmacks
Public Works General Manger Report

2024-09-25

Report to CAO, Mayor and Council

Treatment Plant:

Normal operations.

ARENA and Rec Building

We startet up ice.

Landfill:

Normal operation.

Collection System:

The collection system is functioning normal.

Duplex:

Normal operations

Equipment:

Normal operations, the grader and excavator arrived.

Recycling:

Normal operations

Old Firehall:

Normal operations

New Firehall

Normal operations



Admin. Bldg.:

Normal operations

Shop:

Normal operations

Streets:

Road repair is ongoing.

Extra information

Brush work is still ongoing.

Sincerely,

Jens Wylimczyk

PWGM



Monthly Report to Council

Monthly Report to Council: September 2024

Recreation Updates

Date: September 27th, 2024

Prepared by: Chanel Johnnie

Council Report: September

1. After-School Program

We are thrilled to announce that the After-School Program is now being offered for free, thanks to the \$2000 funding we secured from the Yukon Government's Active Yukon After School Grant. This funding covers the program from September 13th to January 10th, with opportunities to reapply for further funding from January to March and April to June. The free program spots filled up quickly, though we had to deny a few children due to staffing shortages, as taking additional kids would have thrown off the required ratios. We are currently in talks with the Little Salmon Carmacks First Nation (LSCFN), who applied for the same grant to hire student employees for the program, which could alleviate some of these staffing concerns.

2. Ice Rink Completion

Our ice is in! The freshly painted lines really make it stand out, and we're excited for the community to see it. A huge thank you to Jerson, George, and Jake from Whitehorse for their hard work in getting the ice ready. Jake even brought fresh baked goods, which were a nice treat for the team. The effort from everyone involved has been outstanding, and we look forward to a great skating season.

3. Recreation Guide

The new Recreation Guide is now available at several locations, including the post office, village office, landfill, and the Rec complex. It contains important details like Arena Advertisement prices, membership fees, the gym and ice schedules, and upcoming programming. A few dates for events and tournaments are also included. We've noticed that our advertising rates for the facility sponsorship are currently set at \$25,000, compared to \$10,000 in Whitehorse. Lowering our rates might attract more sponsors, and this is something we should consider moving forward.



Monthly Report to Council

4. **Concession Return**

We are excited to announce that the concession is returning to the Rec! We're currently waiting for our orders from G&P Distributing. The concession will feature a small menu and will be run by our Rec team. It will be open three days a week, and in the future, we'll look into extending the hours to include another day or two, depending on demand.

5. **Old Timers Tournament**

Although we put out a call for an Old Timers tournament, we didn't receive much interest. We'll try again later in the season, hoping for more engagement as the season progresses.

6. **Staffing Updates**

I'm happy to announce that Roxy Baker is our new Booking Clerk. She worked her way up over the last year, gaining valuable hands-on training and was ready to start immediately. We had two other candidates: one was underqualified, and the other was an excellent fit but unable to commit due to scheduling issues and a delayed start date. Roxy has been a great addition to the team, and we look forward to seeing her thrive in her new role.

7. **Recreation Gathering and Community Collaboration**

I recently returned from a recreation gathering where I met representatives from neighboring communities. We had some great discussions with the team from Pelly, and we're hoping to bring them to Carmacks for events like Halloween events, tournaments, and other events that come up or we can work on together. It's exciting to think about collaborating on more programs, tournaments, and activities that benefit both communities. I also made valuable connections for potential funding opportunities.

8. **Swim Camp Opportunity**

During the gathering, I attended a presentation from the Lifesaving Society about their swim camps. They run programs in communities with or without a pool, even using rivers in places like Old Crow. This could be a great fit for Carmacks, considering the Yukon River flows right through our community. The camp would help teach kids and youth water safety, especially around fast-moving water, making it a vital skill for our community. They're booking for next summer already!



Monthly Report to Council

9. Student Position

We currently have a student position open, with interviews scheduled for October 2nd. If LSCFN's funding support comes through, we could open up 1-2 more opportunities, which would be a great help for our after-school program.

Thank you

Sincerely,

Chanel Johnnie and the Carmacks Recreation Team



Village of Carmacks

P.O. Box 113
Carmacks, YT Y0B 1C0

Bylaw Report to Mayor & Council: October 1, 2024

Accomplished Tasks

- Finalized our Crest and ordered a uniform with crest and decals
- Purchased tools and equipment for animal control operations
- Updated the Registration Form for pets

Ongoing Projects

- Creating a database for the Bylaw Department
 - Track pet registration, their owners, any enforcement actions taken;
 - Ability to create reports and track enforcement letters using 1 app
- Continuing to identify and address gaps in enforcement operations
 - Tools, equipment, documentation
- Continuing patrols and identifying areas of concern
- Continuous familiarization with
 - Carmacks bylaws
 - Relevant Territorial legislation

Planning Ahead

- Identify and address policy/enforcement gaps in dealing with dogs crossing the river during freeze up
- Familiarization with court procedures
- Continue to seek training and educational opportunities

Complaints Received & Addressed

Sep. 16-22nd	0
Sep. 23-29th	4

Telephone: (867) 863-6271

Fax: (867)863-6606

Email: info@carmacks.ca

VILLAGE OF CARMACKS

By-law 306-24

ANIMAL CONTROL BY-LAW

A BY-LAW OF THE VILLAGE OF CARMACKS IN THE YUKON TERRITORY TO PROVIDE FOR THE CONTROL OF ANIMALS, TO DESIGNATE THE MUNICIPAL BY-LAW ENFORCEMENT OFFICER WITH AUTHORITY TO LEVY FINES, AND TO ESTABLISH A PET PERMITTING SYSTEM WITH ASSOCIATED COSTS.

WHEREAS section 265 of the Municipal Act (2002) provides that Council may pass bylaws for municipal purposes respecting the control, health, and safety of, and protection from, wild and domestic animals, including insects and birds;

AND WHEREAS section 266 of the Municipal Act provides that Council may in such bylaws regulate, control or prohibit, and provide for a system of licenses, inspections, permits, or approvals;

AND WHEREAS the Council of the Village of Carmacks deems it necessary to update and amend By-law 252-18 to enhance the scope of animal control within the municipality;

NOW THEREFORE the Council of the Village of Carmacks hereby ENACTS AS FOLLOWS:

1. TITLE

1.1 This bylaw may be cited as the "Animal Control By-law 306-24".

2. DEFINITIONS

2.1 In this bylaw:

- **"ANIMAL"** refers to all members of the scientific kingdom Animalia unless otherwise specified in the Bylaw but does not include humans.
- **"ANIMAL SHELTER"** means those premises used by the Village for the purpose of impounding Animals under the terms of this Bylaw and may be operated by a Humane Society to provide shelter and care to animals.
- **"AT LARGE"** means an Animal is not on the property of the animal owner and not on a leash or otherwise under the control of a responsible person.
- **"ATTACK"** means to set upon with force, and also means to seek to hurt or defeat.

- **“CAO”** means the Chief Administrative Officer of the Village.
- **“CAT”** means a male or female domesticated cat.
- **“CONSERVATION OFFICER”** means a Yukon Territory District Conservation Officer.
- **“DANGEROUS ANIMAL”** means any Animal that:
 - (a) has chased, harassed, bitten, injured, attacked, or killed an Animal or human, without provocation, on public or private Property;
 - (b) has been trained to harass, attack, or bite another Animal or human;
 - (c) has shown the tendency or disposition to be threatening or aggressive; or
 - (d) is kept for the purpose of providing security or protection to persons or Property.
- **“DESTROY”** means to kill an animal by humane means if determined necessary by an Officer.
- **“DIRECT CONTROL”** means:
 - (a) to have an Animal on the Owner’s Property securely confined by a fence, pen, building or electronic device; or
 - (b) to have an Animal off of the Owner's Property on a Leash held firmly by the Owner and kept within one (1) meter of the Owner when other people are nearby.
- **“DOG”** means a male or female member of the canine family and includes crossbreeds.
- **“DOG TEAM”** means three (3) or more Dogs trained to be harnessed together and used for recreational or commercial purposes or in the maintenance of a subsistence lifestyle.
- **“DOMESTICATED ANIMAL”** means any Animal traditionally raised and housed either as pets or in food production including, but not limited to, bees, cattle, cats, dogs, fish, reptiles, horses, mules, sheep, swine, and poultry, but excluding any wild animal or game.
- **“DWELLING”** means a residence for human habitation as defined by the Zoning Bylaw.

- **“FEE SCHEDULE”** means the schedule of fees and charges as specified in Schedule A forming part of this Bylaw.
- **“HOUSEHOLD PET”** means a Domesticated Animal, other than Livestock or a Working Dog, cohabitating on the Property with its Owner.
- **“HUMANE CARE”** means:
 - (a) providing proper care, food, and shelter;
 - (b) preventing injury, pain, or suffering where possible, and providing adequate treatment where such injury, pain or suffering occurs;
 - (c) preventing Animal sickness whenever possible and providing adequate treatment when sickness occurs;
 - (d) protecting an Animal from abuse or undue hardship, deprivation, or neglect, and;
 - (e) where an activity identified in subsections (a) and (d) is carried on in accordance with reasonable practices of Animal management, husbandry, or slaughter provided that these practices are carried out in a humane manner.
- **“HUMANE SOCIETY”** means an organized group of citizens that, with the approval of Council, provides care to injured, sick, or impounded Animals at the Animal Shelter.
- **“IN HEAT”** means a female Animal in the receptive period of the sexual cycle; in estrus.
- **“JUSTICE”** means a Justice of the Peace or a Judge of the Territorial Court.
- **“KENNEL”** means an establishment for the breeding and/or boarding of Dogs, other than an Animal Shelter.
- **“KENNEL OPERATOR”** means a person who owns or operates a Kennel.
- **“IMPOUND”** means to lodge an Animal at the Animal Shelter in the care of the Village or Humane Society.
- **“LEASH”** means a restrictive device, which may include a spool type Leash, adequate to control the Animal on which it is attached, and which shall be of a length of not more than four (4) meters.

- **“LICENSE”** means the registration of a Cat or Dog by their Owner with the Village upon payment of the applicable License fee, which, in the case of a Dog License, shall be in the form of a unique identification tag to be worn on the collar.
- **“LIVESTOCK”** means a Domesticated Animal that is raised and housed generally for food production or labor, including but not limited to poultry, cattle, fish, horses, mules, sheep, goats, rabbits, and swine.
- **“MEDICAL HEALTH OFFICER”** means the person appointed by the Commissioner in Executive Council to act as a Health Officer, or a person authorized by the Medical Health Officer to act on their behalf.
- **“MUZZLE”** means a fastening or covering for the mouth of an Animal used to prevent eating or biting, and which restrains the normal expression of the Animal.
- **“NEUTERED”** means a Dog or Cat regardless of sex that is incapable of reproducing offspring by spaying or neutering by a Veterinarian or certified by a Veterinarian as too old or physically unable to reproduce.
- **“NUISANCE”** means, by way of example but not of limitation:
 - (a) an Animal which causes damage to the Property of anyone other than its Owner, including but not limited to getting into or turning over garbage containers, damaging gardens, flowers, and vegetables, or defecating on the Property of others or on any public Property except in accordance with section 4.11 of this Bylaw;
 - (b) an Animal which is maintained in an unsanitary environment which results in offensive odors or danger to the Animal or to the public health, safety, or welfare; or an Animal not maintained in a condition of good order and cleanliness, thereby increasing the probability of the transmission of disease;
 - (c) an Animal kept on an Owner’s Property that is maintained in a manner that is offensive, annoying or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of animals on the Property;
 - (d) an Animal which is permitted or allowed to bark, whine, howl, crow, cackle, or otherwise make or cause noise in an excessive or untimely fashion so as to interfere with the reasonable use, peace, and enjoyment of neighboring properties;

- (e) an Animal that is maintained without adequate medical treatment and that is diseased or dangerous to the public health; or
 - (f) an Animal that chases, snaps at, or attacks; pedestrians, joggers, bicycles, or other vehicles, or Animals being walked on a Leash.
- **“OFFICER”** means the CAO, an employee of the Village who is designated by the CAO (Municipal Enforcement By-law Officer) to act in enforcing provisions of this bylaw, a contractor hired by the Village to enforce this bylaw, or a Peace Officer.
- **“OFF-LEASH AREA”** means a designated area of land within the Village identified by a sign posted by the Village, or Public Area, where Dogs may be off-leash provided they are under the supervision and control of their Owner or a responsible person.
- **“OWNER”** means any person, partnership, association, or corporation that owns, harbors, or possesses or has control or custody of an animal and, as such, an Animal may have more than one Owner. Own, owned and owning shall have corresponding meanings. However, for purposes of Section 5, “Owner” shall be deemed to be the person in whose name a dog is licensed.
- **“PEACE OFFICER”** means a Bylaw Enforcement Officer appointed by Council, a Royal Canadian Mounted Police Officer, Environment Yukon Animal Protection Officer, or an Environment Yukon Conservation Officer.
- **“PROPERTY”** means land and improvements uniquely identified on the Municipal Assessment Roll of the Village.
- **“PROPERTY OWNER”** means whoever owns or is occupying a property, including the lessee or licensee of leased or licensed lands.
- **“PUBLIC AREA”** means an area outside of the Village, including road allowances, highways, trails, facilities, and recreation sites, as identified on the map in Schedule B forming part of this bylaw that are considered Off-leash Areas.
- **“QUARANTINE”** means to keep an Animal in a Secure Enclosure for a period of not less than fourteen (14) days or such longer time as ordered by an Officer in consultation with a Veterinarian or Medical Health Officer to determine whether or not the Animal carries an infectious disease.
- **“RESIDENTIAL AREA”** means that portion of the Village so identified on the map in Schedule A forming part of this Bylaw.

- **“SECURE ENCLOSURE”** means an enclosed structure, building, cage, or fenced area of such construction that will not allow an Animal to jump, climb, dig or force its way out, or to allow the entry or access of unauthorized persons.
- **“SELF-DEFENSE”** means the defense of one’s self and/or another human and/or animal from physical harm, through physical force or any other means necessary to prevent injury.
- **“SPECIAL NEEDS DOG”** means any Dog trained by a recognized and accredited institution to provide assistance to persons with hearing or visual impairments, physical disabilities, developmental or intellectual disabilities, or to assist persons with other disabilities in the performance of daily activities.
- **“SPECIAL PERMIT”** means a permit to own more than the prescribed number of Domesticated Animals issued in the form of a letter signed by the CAO on behalf of the Village in accordance with the provisions of this By-law.
- **“TEMPORARY DOG TEAM AREA”** means an area established by council resolution for the temporary housing of a Dog Team in accordance with the terms of this Bylaw.
- **“VILLAGE”** means the Village of Carmacks.
- **"TRAP"** means any device or machine that shuts suddenly, as with a spring, and is used for the capture of live animals.
- **“VETERINARIAN”** means a person who holds a current license to practice veterinary medicine in Yukon. A Veterinarian practicing in the Village must also hold a Village Business License.
- **“WILD ANIMAL”** means an animal belonging to a species not normally domesticated or tame in nature.
- **“WORKING DAY”** means the days Monday through Friday inclusive, except for statutory holidays, and any obligation under this bylaw to be fulfilled on a Working Day shall be done between the hours of 0900 and 1600 (9:00 a.m. to 4:00 p.m.)
- **“WORKING DOG”** means a Dog trained and used by its Owner for hunting or trapping in the maintenance of a subsistence lifestyle or a Dog from a registered Dog Team.

3. GENERAL PROVISIONS

3.1 The provisions of this By-law shall be enforced by an Officer.

3.2 Every Owner of an Animal shall provide Humane Care to that Animal, and every person, including an Owner, shall treat all Animals in a humane manner.

3.3 Every person who keeps an Animal within the municipality shall provide the Animal or cause it to be provided with:

3.3.1 Clean, potable drinking water available at all times, and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight;

3.3.2 Food and water receptacles kept sanitary and located so as to avoid contamination by excreta;

3.3.3 The opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and

3.3.4 Necessary veterinary medical care when the Animal exhibits signs of pain, illness, or suffering.

3.4 Every person who keeps an Animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the Animal is provided with:

3.4.1 A total area that is at least twice the length of the Animal in all directions; and

3.4.2 A house or shelter to ensure protection from heat, cold, and wet. Such house or shelter must provide sufficient space to allow the Animal the ability to turn around freely and lie in a normal position and be situated in an area providing sufficient shade to protect the Animal from the direct rays of the sun at all times; any pen must be regularly cleaned and sanitized, and all excrement removed, at least once a week.

3.5 No person shall cause an Animal to be hitched, tied, or fastened to a fixed object while unattended by the Owner where a choke collar, choke chain, or pinch collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck, or where the Animal's mobility is limited to such an extent that the Animal cannot lay down comfortably.

3.6 No person shall cause an Animal to be confined in an enclosed space, including a motor vehicle, without adequate ventilation.

3.7 No person shall transport an Animal outside the passenger compartment of any motor vehicle or trailer unless the Animal is adequately confined or unless it is secured in a body

harness or other manner of fastening which is adequate to prevent the Animal from falling off the vehicle or otherwise injuring itself.

3.7.1 In any prosecution or proceeding under this Section of the Bylaw, the registered Owner or operator, as applicable, of the motor vehicle or trailer shall be deemed to be the Owner of the Animal unless he or she proves to the satisfaction of the Justice that at the time of the offense the motor vehicle was not being used to transport the Animal by him or her and that the motor vehicle was not being used by any other person with his consent, express or implied.

3.8 No person shall cause an Animal to be muzzled unless it is in the Direct Control of the Owner.

3.9 No person shall keep an Animal in an unsanitary condition within the Village. Conditions shall be considered unsanitary where the keeping of the Animal results in an accumulation of fecal matter, an odor, insect infestation, rodent or bear attractants which endanger the health of the Animal or any person, or which disturb or are likely to disturb the enjoyment, comfort, or convenience of any person in or about any neighboring properties, dwelling, office, hospital, or commercial establishment.

3.10 The granting of any license or permit under this Bylaw shall not relieve any person to whom such license or permit is issued, from compliance with any other Bylaw of the Village.

3.11 Despite any other provision of this Bylaw, an Officer may refuse to approve an application to issue a permit or license, or may revoke an existing permit for a minimum of eighteen (18) months, if an applicant or a permit holder has:

3.11.1 Been convicted of cruelty to animals;

3.11.2 Outstanding fines for more than one breach of this Bylaw;

3.11.3 Equipment and/or Animals impounded; or

3.11.4 Multiple infractions of this Bylaw within a year.

3.12 Council may, by resolution, amend the Fee Schedule forming part of this Bylaw in respect of any fine, offense, permit, or license contemplated under this Bylaw from time to time.

4. CONTROL OF ANIMALS

4.1 No Owner of an Animal shall permit such Animal to run At Large and where such Animal is found Running At Large, it shall be deemed to be doing so with the consent of the Owner.

4.2 No Owner of an Animal shall permit such Animal to be upon any private Property within the Village without the Property Owner's consent unless such Animal is on a Leash held at all times by the Owner or inside a Secure Enclosure.

4.3 Other than as allowed in Paragraph 4.2, no Owner of an Animal shall permit such Animal to be within the Village, or upon any Public Area (see Schedule B) unless such Animal is on a Leash held at all times by the Owner.

4.4 Pursuant to Paragraphs 4.2 and 4.3, the Animal shall be confined by the Owner holding the Leash within a one (1) meter radius when other persons are in the immediate vicinity of the Animal.

4.5 Council may, by resolution, designate areas as Off-Leash Areas within the Village where Dogs, except Dogs deemed to be a Dangerous Animal or Dogs being investigated as dangerous are permitted to run At Large, and may specify the period of time in which the "Leash optional" designation shall be in effect.

4.6 The Owner of an Off-Leash Animal, while in an Off-Leash Area, shall at all times:

4.6.1 Keep the Animal under control by verbal command;

4.6.2 Carry a Leash not exceeding two (2) meters in length;

4.6.3 Clean up after the Animal; and

4.6.4 Ensure that the Animal does not cause injury or damage to any person, another Animal, or to any Property.

4.7 An Owner may leave a leashed Animal temporarily unattended by tying it to a building or other structure outside a public building or place of business where the Animal shall not interfere with people entering or exiting the building.

4.8 Any Animal not controlled in accordance with this Bylaw shall be deemed to be At Large.

4.9 Every Owner of a female Dog or Cat In Heat shall confine such an Animal within a building or Secure Enclosure in such a manner as to prevent the Dog or Cat from coming into contact with a male Dog or Cat, as the case may be. Such confinement shall continue for the whole period the female Dog or Cat is In Heat, except that such Dog or Cat may be released from such confinement for controlled breeding purposes and for the purpose of exercising or defecating on the Owner's Property.

4.10 No Owner of an Animal shall permit the Animal to become a Nuisance.

4.11 No Owner of an Animal shall permit the Animal to defecate on public or private Property, other than that of the Owner, within the boundaries of the Village. It is not a violation of this paragraph when the Owner of the offending Animal immediately cleans up and properly disposes of the defecation.

4.12 An Owner shall ensure that all Animals are properly secured on their Property by a Secure Enclosure or tethered to a post by a chain having a minimum of a one (1) meter turning radius.

4.13 All Dogs tethered or caged within the Village must be given an opportunity to exercise off of the tether, or out of the cage, for a minimum of one (1) hour in a twenty-four (24) hour period.

4.14 No person shall:

4.14.1 Interfere with, or attempt to obstruct, an Officer or other person who is attempting to seize or who has seized any Animal in accordance with the provisions of this Bylaw;

4.14.2 Unlock or unlatch or otherwise open a vehicle, cage, Animal Shelter, or other similar structure in which Animals seized for impoundment have been placed;

4.14.3 Remove or attempt to remove any Animal from the possession of an Officer or from any person at the time responsible for the operation or maintenance of the Animal Shelter at which the Animal is being held;

4.14.4 Release or remove, or attempt to release or remove, any Animal contained in a Trap installed by an Officer; or

4.14.5 Destroy, damage, or otherwise interfere with any Trap installed by an Officer.

5. DOG AND CAT LICENSING

5.1 Any Dog or Cat over the age of three (3) months must be licensed with the Village, and where the age of such Animal is not known, the Animal shall be deemed to be over three (3) months old.

5.2 Every Owner of a Dog or Cat satisfying Paragraph 5.1 shall, within fourteen (14) days of becoming Owner of the Animal or taking up residence in the Village, apply for and maintain a license from the Village and pay the applicable license fee in accordance with the Fee Schedule except in the following circumstances:

5.2.1 A service Dog employed by the Royal Canadian Mounted Police;

5.2.2 A Dog or Cat owned by, or in the possession of, a non-resident of the Village for a total cumulative time period not exceeding one (1) month in any twelve (12) month period.

5.3 The burden of proof that an Owner is a non-resident and is temporarily in the Village for a period not exceeding that set out in Paragraph 5.2.2 rests with the Owner.

5.4 Every Dog and Cat Owner shall provide the Village with the following information when applying for a license:

5.4.1 Name, street address, and postal address of the Owner;

5.4.2 E-mail address and phone number of the Owner and, if possible, an emergency contact.

5.4.3 Name, description, and current photo of the Animal to be licensed; and

5.4.4 Other information as may be required by the Village, including but not limited to proof the Animal is neutered and/or vaccinated by a Veterinarian.

5.5 An annual Dog License issued under this by-law shall be effective from January 1st or the date of issue until December 31st of the same year.

5.6 Notwithstanding 5.5, for the convenience of Owners and to encourage early renewal, an annual Dog License issued on or after September 1st shall be deemed valid from that date until December 31st of the subsequent year.

5.7 A lifetime Dog or Cat license issued under this by-law shall be valid for the lesser period of the lifetime of the Animal, the transfer or sale of the Animal from one Owner to another, or upon the Owner moving away from Village with the Animal.

5.8 Owners of a Dog or Cat with a lifetime license shall confirm with the Village on an annual basis that the information provided under Paragraph 5.4 is still valid and that they still own the Animal, so the Village can maintain up-to-date records.

5.9 A Dog or Cat License issued under this by-law shall not be transferable from one Animal to another or from one Owner to another, and no refund shall be made on any License fee because of the death or disposal of the dog or upon the Owner moving away from Village before the expiration of the Dog License.

5.10 A Dog License is to be fastened to a collar or harness worn by the Dog at all times.

5.11 The Owner of a Dog that has been licensed under Section 5 shall apply to the Village for a replacement Dog License if the tag is lost and pay a replacement tag fee in accordance with the Fee Schedule.

5.12 No person shall use a Dog License tag on a Dog to which it is not registered.

5.13 An Owner of a Dangerous Animal shall maintain an annual Dangerous Animal license subject to the terms and conditions of this Section.

6. DOG OR CAT PERMITS

6.1 An Owner or Owners shall not:

6.1.1 Within the Village, have more than a total of two (2) Dogs and/or two (2) Cats on their Property or have any other type of Domesticated Animal that normally is kept outside of their Dwelling unless otherwise allowed to do so in this Bylaw.

6.2 Owners within the Village may obtain a Cat Permit to have up to five (5) Cats on their Property provided the Owner(s) agrees in writing that the Cats shall be at all times confined within their Dwelling.

6.3 Owners within the Village may obtain a Dog Permit to have up to five (5) Dogs on their property provided, at the time of application:

6.3.1 The applicant provides written consents, in a form prescribed by the CAO, of at least two-thirds (2/3) of all Property Owners whose Residential Area or Country Residential Area Property is located within one hundred and fifty (150) meters of the boundaries of the Owner's Property.

6.3.2 The applicant pays the Dog Permit fee in accordance with the Fee Schedule.

6.3.3 All Dogs subject to the Dog Permit have valid Dog Licenses and shall be listed on the Special Permit.

6.3.4 None of the Dogs is considered a Working Dog.

6.3.5 There is an agreement in writing, in a form prescribed by the CAO, permitting an Officer to enter onto the Property for the purpose of inspection.

6.4 Notwithstanding Paragraph 6.3, the CAO may deny a Dog or Cat Permit if after inspecting the Property it is the CAO's opinion that:

6.4.1 The Property is not of adequate size to accommodate the Animals;

6.4.2 Any development related to accommodating the Animals, such as the construction of a Secure Enclosure, would not conform to the requirements of the Zoning Bylaw; or

6.4.3 Such accommodation of the Animals would undesirably impact the immediately adjacent Properties due to the density of the Dwellings.

6.5 Owners who previously received a Special Permit for Dogs in excess of the limitations specified above, prior to the date of passing this Bylaw, shall be allowed the number of

Dogs specified in that Special Permit, including Working Dogs, except that the Owner shall not be allowed to replace a Dog in excess of the limits specified above if the Animal dies or is otherwise no longer in the possession of the Owner.

7. KENNELS

7.1 An Owner having or intending to have on a Property more than the number of Dogs allowed under the provisions of Paragraph 6.1, or intending to breed Dogs for profit, shall be considered a Kennel Operator.

7.2 Any person desiring to be a Kennel Operator shall apply annually for a Kennel permit on an application form approved by the CAO.

7.3 The Kennel Operator shall develop and operate the Kennel subject to any applicable regulations in the Zoning Bylaw or successor legislation.

7.4 No Kennel shall be permitted to be located within the Residential Area.

7.5 A Kennel may be permitted outside the Residential Area provided, at the time of application:

7.5.1 The location for the Kennel is on a Property within a zone that permits a Kennel under the Village's Zoning Bylaw;

7.5.2 The applicant provides written consents, in a form prescribed by the CAO, of at least two-thirds (2/3) of any Property Owners whose Residential Area or Country Residential Area Property is located within three hundred (300) meters of the boundaries of the Property on which the Kennel is to be located; and

7.5.3 There is an agreement in writing, in a form prescribed by the CAO, permitting an Officer to enter onto the Property on which the Kennel is to be located, for the purpose of inspecting the Kennel.

7.6 Any holder of a Kennel permit must also purchase a business license from the Village.

7.7 Where an Officer finds that the Kennel Operator does not comply with any section of this Bylaw, the Officer may direct that the Animals be seized and impounded. All costs associated with the seizure and boarding of the Animals shall be the responsibility of the Kennel Operator.

7.8 A Kennel Operator may keep unlicensed Dogs confined in the Kennel, but any Dog leaving the Property on which the Kennel is located must have a Dog License and wear their Dog License tag.

8. LIVESTOCK AND SPECIAL PERMITS

8.1 Livestock may be kept on a Property outside of the Village, including within the Country Residential Area, subject to the provisions of the Zoning Bylaw or successor legislation.

8.2 No Livestock shall be kept on any Property within the Village.

8.3 Any person desiring to keep Livestock on their property within the Village, that is not otherwise permitted under this Bylaw, must obtain a Special Permit for the specific Property, species, and maximum number of Animals intended.

8.4 Within thirty (30) days of receipt of an application for a Special Permit, the CAO shall:

8.4.1 Ensure that such application, which must include a sketch or plan of the Property and Secure Enclosure in which the Livestock are to be housed, is complete and otherwise meets the requirements of this Bylaw and the Zoning Bylaw;

8.4.2 If such application is not complete, requires further information about the care and maintenance of the Livestock, or contravenes a provision of this Bylaw or the Zoning Bylaw, return the application to the applicant after which the applicant may address such deficiencies and resubmit; and

8.4.3 Review the revised application within fourteen (14) additional calendar days.

8.4.4 Upon acceptance of the application as complete, the CAO may,

8.4.4.1 If the application is for species or sub-species of Livestock already included in the Special Permit provisions of Schedule D, as previously approved by Council resolution, the CAO may issue a Special Permit subject to the requirements specified therein;

8.4.4.2 If the application is for species or sub-species of Livestock not already included in the Special Permit provisions of Schedule D, and not previously considered by Council, the CAO will prepare a report for Council with a recommendation to approve or deny the application and the conditions of such approval;

8.4.5 The CAO shall recommend denial of the application for a Special Permit if, in the opinion of the CAO, allowing the Special Permit would, at the time of application or in the future:

8.4.5.1 Violate any General Provisions of this Bylaw;

8.4.5.2 Disturb the peaceful enjoyment of the neighboring Property Owners through the introduction of undesirable noise or odor;

8.4.5.3 Be used solely for the purpose of breeding the Livestock;

8.4.5.4 Result in an undesirable density of Domesticated Animals in the immediate area; or

8.4.5.5 Be otherwise inappropriate for the development and use of the Property.

8.4.6 The date will be set for Council to hear the application at the next scheduled Council meeting allowing for notice of the hearing to be mailed to all Property Owners within one hundred and fifty (150) meters of the applicant's Property at the applicant's expense.

8.5 Upon hearing the application, Council may, by resolution:

8.5.1 Approve the Special Permit and set out the conditions for approval, which shall then be attached to Schedule D of this Bylaw; or

8.5.2 Deny the application.

8.6 The conditions of a Special Permit set out in Schedule D may include, but are not limited to:

8.6.1 Specifying the species or sub-species of Domestic Animal or Livestock to which the Special Permit applies;

8.6.2 The maximum number of Animals allowed under the Special Permit;

8.6.3 The gender of the Animals allowed;

8.6.4 Requiring that the Animals be Neutered;

8.6.5 A time limit, after which the Special Permit expires or must be renewed;

8.6.6 Fees;

8.6.7 Specifications for how and where the Animals are to be kept on the Property, including but not limited to, the minimum or maximum dimensions, setbacks, or type of construction of a Secure Enclosure, having regard for the Zoning Bylaw;

8.6.8 Specify whether or not the Special Permit may be transferrable to another Owner or Property;

8.6.9 Provision for an Officer to inspect the Property; and

8.6.10 Any other requirements to be fulfilled prior to issuance of a Special Permit by the CAO.

8.7 Council may also set the scope of any Special Permit provisions in Schedule D to:

8.7.1 Be applied only to the original applicant, Property, or thing; or

8.7.2 Guide the CAO in approving or denying future similar applications for Special Permit, with further regard for Paragraph 8.4.5., such that Council need not hear such future applications.

8.8 The person desiring to keep Livestock may be required to obtain written consents of neighboring Property Owners in the same manner as Paragraph 6.3.1 of this Bylaw prior to the issuance of a Special Permit by the CAO or Council.

8.9 A Special Permit shall not be transferable to another Owner or Property or thing unless allowed in Schedule D.

8.10 Nothing in Schedule D shall have the effect of amending or overriding any provision of this Bylaw.

8.11 By way of example only, and without limiting Council's ability to act appropriately, the Special Permit provisions to be set out in Schedule D could, for each type of application considered by Council, be set out similarly to the Hen Permit provisions (Section 9) of this Bylaw.

9. HEN PERMITS AND COOPS

9.1 Any person intending to keep hens on their property must apply for a Hen Permit.

9.2 Within fourteen (14) days of receipt of an application for a Hen Permit, the CAO shall:

9.2.1 Ensure that such application, which shall include a sketch or plan of the proposed coop, is complete and meets all requirements of this Bylaw and the Zoning Bylaw;

9.2.2 If such application is not complete, or it contravenes a provision of this Bylaw or the Zoning Bylaw, return the application to the applicant after which the applicant may address such deficiencies and resubmit; and

9.2.3 Review the revised application within fourteen (14) additional calendar days.

9.3 Within the Residential Area:

9.3.1 Roosters are not permitted;

9.3.2 If a chick is discovered to be a Rooster as it matures, it must be disposed of within three (3) days of it beginning to "cock-a-doodle-do" or otherwise disturb the peaceful enjoyment of neighbors;

9.3.3 The maximum number of hens permitted is twelve (12).

9.4 Outside of the Residential Area, and subject to the other provisions of this Bylaw and the Zoning Bylaw, the maximum number of Hens permitted is twenty-five (25) and Roosters may be allowed.

9.5 A Hen Permit holder must:

9.5.1 Provide a Coop which shall be constructed according to the requirements and specifications below;

9.5.2 Keep each Hen in the Coop at all times;

9.5.3 Keep Hens in their indoor Coop between 2300 and 0700 hours (11 PM and 7 AM);

9.5.4 Provide each Hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;

9.5.5 Maintain each Coop in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;

9.5.6 Construct and maintain each Coop to prevent any rodent from harboring underneath or within it, or within its walls, and to prevent entrance by any other Animal;

9.5.7 Keep a food container and water container in each Coop;

9.5.8 Keep each Coop securely closed at all times;

9.5.9 Remove leftover feed, trash, and manure in a timely manner;

9.5.10 Store manure within a fully enclosed structure, and store no more than one-third cubic meter (0.33 m³) of manure at a time unless directed to remove and dispose of such manure sooner by an Officer;

9.5.11 Slaughter hens in an efficient and humane manner that does not subject them to avoidable discomfort; and

9.5.12 Not keep a Hen in a cage except when actively transporting the Hen off of the Property.

9.6 A Coop must:

9.6.1 Include both a walled, roofed structure and an outdoor pen;

9.6.2 Be securely enclosed to prevent the escape of hens and the entrance of any other Animal;

9.6.1 Provide a floor of any combination of vegetated or bare earth in the outdoor pen area;

9.6.2 Provide at least 0.37 m² of interior floor area per Hen;

9.6.3 Provide at least 0.92 m² of outdoor pen area per Hen;

9.6.4 Provide at least one nest box and perch of at least 18 cm width per Hen; and

9.6.5 Conform to all other applicable regulations of the Zoning Bylaw.

9.7 An Officer has the power to demand information on Hens within the Village, the power to:

9.7.1 Enter and inspect a Property at any reasonable time, after providing twenty-four (24) hours notice to the Property Owner or earlier with their cooperation;

9.7.2 Inspect a Coop; and

9.7.3 Seize, impound or destroy a Hen, Rooster, or other non-compliant Animal.

10. WILD ANIMALS

10.1 No person shall own a Wild Animal within the Village except for the purpose of exhibition in circuses, zoos, or educational institutions, and in accordance with such regulations as shall be established from time to time by the Village.

10.2 At the discretion of the CAO, and in consultation with the authority having jurisdiction, a person may, for a period not to exceed six (6) months, be given permission to assist the authority in the care and maintenance of an injured or recovering Wild Animal or bird.

11. DANGEROUS ANIMALS

11.1 No Owner of a Dog shall permit their Dog to bite any other Dog that is on a Leash, and where a Dog has bitten a leashed Animal it shall be deemed to have done so with the consent of its Owner.

11.2 No Owner of a Dog shall permit such Dog to bite, without provocation, any other Dog that is off Leash, and where a Dog has, without provocation, bitten another unleashed Dog it shall be deemed to have done so with the consent of its Owner.

11.3 No Owner of an Animal shall permit such Animal to bite any person without provocation, and where such Animal has, without provocation, bitten any person it shall be deemed to have been done with the consent of the Owner.

11.4 No owner of any Animal shall permit such Animal to bite, attack, harass, or kill any other tethered Animal or any Animal or poultry which is on its respective private Property, and where such Animal has bitten, attacked, harassed or killed any Animal or poultry it shall be deemed to have been done with the consent of the Owner.

11.5 Upon conviction of an offense contrary to Paragraphs 11.1 to 11.4 of this Bylaw, the Animal set out in the complaint shall be deemed a Dangerous Animal by the CAO, and said conviction shall serve as the notice required pursuant to this Bylaw.

11.6 No person shall own a Dangerous Animal unless such Animal is:

11.6.1 Confined within a Secure Enclosure

11.6.2 Securely muzzled and leashed when outside that Secure Enclosure and under the direct control of the Owner or a responsible person over the age of eighteen (18); and

11.6.3 Licensed with the municipality as a Dangerous Animal.

11.7 A Secure Enclosure used to house a Dangerous Animal shall not be within one (1) meter of the Property line or within three (3) meters of a neighboring Dwelling.

11.8 A sign shall be displayed at each entrance to the Property and building in which a Dangerous Animal is kept, warning in writing, as well as with a symbol, that there is a Dangerous Animal on the Property. This sign shall be visible and legible from the nearest road or thoroughfare.

11.9 The CAO shall have the discretion to modify the conditions for owning and maintaining a Dangerous Animal, and any modified conditions shall be set out in writing and include written reasons for the modified conditions, a copy of which shall be provided to the Owner.

11.10 An Officer shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the Dangerous Animal provisions of this Bylaw.

11.11 The Village may not offer for adoption any Animal that has been designated a Dangerous Animal under this Bylaw.

11.12 Where the Owner of a Dangerous Animal has been previously charged with an offense under this Bylaw and commits a subsequent offense, the Dangerous Animal may immediately be ordered impounded by an Officer.

11.13 Where a Dangerous Animal dies or is sold or otherwise disposed of, the Owner shall notify the Village of the disposal, including the name and address of the new Owner if applicable.

11.14 Where an Animal is impounded, pursuant to a Justice's order, the Owner shall bear all costs related to the impoundment.

11.15 Where a Justice is satisfied that, in the public interest, a Dangerous Animal should be destroyed, or otherwise disposed of, the Justice shall order the destruction or other disposition at the expense of the Owner.

12. RABIES AND INFECTIOUS DISEASE CONTROL

12.1 No Owner shall keep any Household Pet over six (6) months of age without having such animal vaccinated for rabies unless an Officer confirms vaccinating the Animal is not necessary in consultation with a Veterinarian or the Medical Health Officer.

12.2 Any Animal that bites another Animal or a human, and any Animal that is suspected by an Officer of being exposed to an infectious disease shall be seized by an Officer and impounded or an Officer may order the Animal be Quarantined at a place and under conditions to be determined by an Officer.

12.3 Every Animal bitten by an Animal suspected of being rabid may, at the discretion of an Officer, be impounded or Quarantined in accordance with this Bylaw.

12.4 Any Animal Quarantined pursuant to this Bylaw shall not be released from quarantine by an Officer except upon:

12.4.1 The Owner providing a vaccination certificate for the Animal, issued by a Veterinarian not more than one (1) year prior to Quarantine, and any other assurances to the satisfaction of the Officer; or

12.4.2 With the written approval of a Veterinarian or the Medical Health Officer, and the Animal being vaccinated at the Owner's expense.

12.4.3 For the purposes of satisfying the above requirements, an Owner may be given permission by an Officer to transport an Animal to Whitehorse for vaccination and examination by a Veterinarian.

12.5 The cost of Quarantining and/or treating an Animal under this Bylaw, including impoundment and other fees as set out in this Bylaw or any successor legislation, and transport costs if the Animal must be sent to Whitehorse, shall be borne by the Owner of the Animal.

12.6 Where any Animal has been Quarantined, pursuant to this Bylaw, and has not been retrieved by the Owner within four (4) Working Days of the completion of the quarantine period, the Animal is deemed to have been abandoned by the Owner and the Village may put the Animal up for adoption or otherwise dispose of the Animal.

12.7 Where an Animal suspected of being rabid dies while under Quarantine, the Village shall immediately notify the Medical Health Officer of any known human contacts and shall

dispose of the Animal by incineration or, upon request of the Medical Health Officer, sending the carcass of the Animal to a laboratory for pathological examination.

12.8 Except as provided elsewhere in this Bylaw, no person shall kill or cause to be killed, nor remove any of the following Animals from the Village, without written permission from an Officer or the Medical Health Officer:

12.8.1 Any rabid Animal;

12.8.2 Any Animal suspected of having or of having been exposed to rabies; or

12.8.3 Any Animal which has bitten a human.

12.9 Upon demand of an Officer, the carcass of any dead Animal, which has been exposed to rabies, shall be surrendered to an Officer or to the Medical Health Officer.

13. IMPOUNDMENT AND DISPOSAL OF ANIMALS

13.1 The Village hereby establishes and authorizes the maintenance and operation of an Animal Shelter for the purpose of impounding animals.

13.2 An Animal may be seized and impounded by an Officer at the Animal Shelter, or into any other place or care at the discretion of the Officer:

13.2.1 If found At Large;

13.2.2 By entering in or on Private Property with the permission of the Property Owner, or by warrant, if the Animal is, or has been, a Nuisance or is in distress;

13.2.3 By entering in or on Private Property, other than a Dwelling, or a vehicle, without the permission of the Property Owner or warrant, if the Animal is in distress or poses an imminent danger to public safety when:

13.2.3.1 Time is of the essence; and,

13.2.3.2 The Property Owner cannot be reasonably located; or,

13.2.3.3 A warrant cannot be reasonably obtained from a Justice, provided that a Justice has not previously refused to issue the warrant, and the Officer is, or is accompanied by, a member of the Royal Canadian Mounted Police.

13.2.4 By entering in or on Private Property by warrant issued pursuant to paragraph 13.2.

13.3 A citizen may seize an Animal found running At Large or, with the consent of the Property Owner if the Animal is on private Property, any Animal which is damaging or has damaged public or private Property or is attacking, or has attacked, a person and shall

forthwith turn the Animal over to an Officer or other Village employee. Any citizen seizing such an Animal must provide Humane Care to the Animal until such time as it can be turned over to an Officer.

13.4 A citizen may catch or live Trap and hold any Animal that is found running At Large on their Property, using a Trap provided by an Officer, provided that:

13.4.1 The citizen demonstrates proficiency in using a live Trap and in the care and handling of an Animal caught in a live Trap; and

13.4.2 A Trap is not left unattended and is checked on an hourly basis; and

13.4.3 Trapped animals are turned over to an Officer forthwith.

13.5 An Officer may require the Owner to have the Animal Neutered, Vaccinated, or examined by a Veterinarian as a condition of its release.

13.6 An Officer shall make all reasonable efforts to identify an impounded Animal, notify the Owner and inform the Owner of the conditions under which the Animal may be released.

13.7 Except where an Animal has been Quarantined or ordered destroyed pursuant to this Bylaw, the Owner of an impounded Animal may recover such Animal within four (4) Working Days of its impoundment, or until such time as the Village has disposed of the Animal pursuant to this Bylaw, subject to the payment of all expenses incurred in securing, caring for, and feeding the Animal and other fees as prescribed in the Fee Schedule.

13.8 Any Animal that is required to be licensed shall not be released from impoundment until the Owner has obtained a current license.

13.9 Impoundment fees will be levied on a graduated scale with a fee for the first impoundment, the second impoundment, and the third and subsequent impoundments as set out in the Fee Schedule.

13.10 For the purposes of the impoundment provisions of this Bylaw:

13.10.1 Where more than one Animal owned by an Owner is impounded at the same time or at different times, each impoundment of an individual Animal shall be considered to be separate and consecutive; and

13.10.2 There shall be deemed to be a previous impoundment of the Animal if the Animal has been impounded in the previous twelve (12) months.

13.10.3 The Village will charge a daily care fee after the first 24-hour period of impoundment to recover the ongoing cost of caring for the Animal.

13.11 Impounded Animals, not recovered by an Owner, will be disposed of by first trying to find them a new home with a caring responsible person or delivering them to the animal shelter in Whitehorse.

13.12 Where a reasonable attempt to find an adoptive Owner is unsuccessful the Animal shall be destroyed in a humane fashion and the carcass disposed of in accordance with Yukon Environmental Health and Public Health requirements.

13.13 Officers have the right to seize any Dangerous animals, or any Animal the Officer believes may be suffering from an infectious disease, or may seize any Animal from any person whom the Officer finds contravening this Bylaw.

13.14 Upon demand being made by an Officer, an Owner who fails to surrender an Animal that is the subject of an Impoundment order commits an offense.

13.15 Where an Owner has refused to surrender an Animal, the Officer will lay the matter before a Justice, pursuant to Paragraph 18.2.

13.16 Where a Justice is satisfied that the public interest does not require Impoundment of the Animal, the Justice shall order the Animal released into the care of its Owner upon such conditions as are reasonably necessary to ensure the protection of the persons and Property of others.

13.17 Where an Animal has been released from Impoundment pursuant to this Bylaw, and the Owner breaches any condition imposed as a condition of the release the Owner will be deemed to have committed an offense.

14. CRUELTY TO ANIMALS

14.1 With the exception of the destruction of a Domesticated Animal pursuant to this Bylaw by an Officer or Veterinarian, no person shall kill a Domesticated Animal unless it has been raised for food.

14.2 A person who causes unnecessary suffering, damage, or injury to an Animal, whether intentionally or by willfully neglecting, is guilty of an offense under this Bylaw and Sections 445 or 446 of the Criminal Code of Canada.

14.3 No person shall place poison in such a position that it may easily be consumed by Animals.

15. INTERESTS OF PUBLIC SAFETY

15.1 Notwithstanding any other provision of this Bylaw, where an Officer considers an Animal to be an imminent threat to public safety, the Officer may, with the consent of the

Owner, if the Animal is on the Owner's Property, or without the consent of the Owner, if the Animal is running At Large, forthwith destroy any Animal in contravention of this Bylaw.

15.2 An Officer may enter upon any Property, other than a Dwelling, for the purpose of securing or seizing any Animal to prevent the continuation of an offense or to determine ownership.

16. OFFENSE AND PENALTIES

16.1 Any person who contravenes a provision of this Bylaw is guilty of an offense.

16.2 Any person who commits an offense under this Bylaw is, in addition to any other punishment or imprisonment imposed by the Court, liable on summary conviction to:

16.2.1 A voluntary fine under Section 20 of the Summary Convictions Act, issued in respect of an offense in an amount up to the penalty specified in the Fee Schedule attached hereto and forming part of this Bylaw; or

16.2.2 A fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary convictions provisions of the Criminal Code of Canada; or

16.2.3 A fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to Paragraph 9(1) of the Summary Convictions Act.

16.3 Notwithstanding Paragraph 16.2, a person who commits a first offense under this Bylaw may be issued a verbal or written warning at the discretion of the Officer.

16.4 An Officer may serve a written order pursuant to Section 348 of the Municipal Act and a person who does not comply with the order in the time limit specified is guilty of an offense.

16.5 Where a person is convicted of an offense, under this Bylaw, the Justice may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to Section 738 of the Criminal Code of Canada.

16.6 Should any person owning or occupying Property refuse or neglect to pay any penalties that have been levied pursuant to this Bylaw, an Officer may inform such a person in default that, if these charges are unpaid on the thirty-first (31) day of December in the same year, the charges will be added to, and form part of, the taxes payable in respect of that Property as taxes in arrears.

17. GENERAL INTERPRETATION

17.1 The invalidity of any section or provision of this Bylaw shall not affect the validity of any other part of this Bylaw which can be given effect without such invalid part or parts.

17.2 In the event of any inconsistency in this Bylaw, or disagreement of any provision or requirement of this Bylaw with that of any other Bylaw of the Village, the stricter of the provisions or regulations shall prevail.

18. ENFORCEMENT, SEARCH, AND SEIZURE

18.1 The provisions of this Bylaw shall be enforced by any Officer unless otherwise stated herein.

18.2 Pursuant to the provisions of the Criminal Code of Canada, for any violations of this Bylaw, a Justice may, upon evidence under oath that there are reasonable and probable grounds to believe that an Animal is being kept in violation of this bylaw, in the interest of public safety, or necessary for the humane treatment of the Animal to do so,

18.2.1 At any time issue a warrant authorizing an Officer, who is named in the warrant, to apply the search and seizure provisions of the Criminal Code of Canada;

18.2.2 Set out in an order

18.2.2.1 Any condition and time limits that the Owner shall meet before the Animal is released from Impoundment without further application to the Court; and

18.2.2.2 That if the Owner fails to meet the conditions or time limits set out in the order, and the period for appeal has lapsed without an appeal being filed, the Village may dispose of an Animal in Impoundment by whatever manner the Village sees fit, including destruction of the Animal.

18.3 No person shall make a frivolous or vexatious complaint to an Officer regarding an Animal.

18.4 An Officer may refuse to investigate or enforce a complaint if:

18.4.1 The Officer is satisfied that the complaint is frivolous or vexatious; or

18.4.2 There is insufficient evidence to warrant further action.

19. APPEAL

19.1 Any person who has applied for, but failed to be granted, a license or permit or who has had a privilege denied, or revoked, under the provisions of this Bylaw may appeal the denial or revocation in writing to Council within thirty (30) days after the decision was

rendered, and Council may approve or reinstate the license or permit in an exceptional circumstance.

19.2 Council may appoint an adjudicator, who is not an Officer or employee of the Village, to independently review the merits of the appeal and, with regard for the Bylaws of the Village, shall provide a recommendation to Council within thirty (30) days of the appeal first being heard.

19.3 In setting out their decision on the appeal, Council may impose upon the person who made the appeal any reasonable conditions, time limits, or fees that Council deems appropriate to make such allowance under the Bylaw, including the recovery of any related costs of the Village that are either incurred or anticipated.

19.4 A decision of Council under Paragraph 19.3 shall not invalidate, weaken, or amend any section or provision of this Bylaw, or any Bylaw of the Village, except to provide such allowance as explicitly stated in the decision for the exceptional circumstance of the appeal.

19.5 The right of appeal shall be barred and extinguished if not received in writing by Council within the period set out in Paragraph 19.1.

20. PET PERMITTING SYSTEM

20.1 Any owner of a domesticated pet within the Village of Carmacks is required to obtain a pet permit.

20.2 The pet permit fee is set at \$10.00 per pet for a 12-month period, as outlined in Schedule A of this bylaw.

20.3 Owners must register their pets within 30 days of acquisition or within 30 days of moving to the Village.

20.4 The pet permit is non-transferable between owners or pets and must be renewed annually.

20.5 Failure to obtain a pet permit will result in penalties as outlined in Schedule A.

21. SCHEDULE A: FINES & PENALTIES

21.1 Fines and penalties for contraventions of this bylaw are as follows:

Section Number	Offense	Fine Amount
3.2	Failure to comply with Officer's order	\$200.00

Section Number Offense **Fine Amount**

20.1	Failure to obtain a pet permit	\$50.00
20.4	Failure to renew pet permit	\$25.00
4.1	Animal running at large	\$25.00
4.1	Animal running at large – Second Offense	\$50.00
4.1	Animal running at large – Third Offense	\$100.00
11.6	Dangerous animal not confined	\$500.00
14.2	Cruelty to animals	\$1,000.00
12.2	Failure to comply with quarantine order	\$250.00
13.14	Refusal to surrender an animal	\$500.00

21.2 Fines must be paid within 30 days of issuance. Failure to pay fines may result in additional penalties and enforcement actions, including but not limited to the addition of fines to municipal taxes in arrears.

22. REPEAL

22.1 By-law 252-18 is hereby repealed.

23. ENACTMENT

23.1 This bylaw shall come into full force and effect upon passing thereof.

READ A FIRST TIME THIS AUGUST 20th, 2024

READ A SECOND TIME THIS September 17th, 2024

READ A THIRD TIME AND FINALLY PASSED THIS [insert date]

Mayor Lee Bodie _____

CAO Matthew Cybulski _____

VILLAGE OF CARMACKS

BY-LAW NO. 307-24

A By-law to regulate and control vehicular and pedestrian traffic and use of highways within the Village of Carmacks.

WHEREAS Section 265 of the Yukon Municipal Act, Chapter 154, Statutes of the Yukon, and amendments thereto provide that, subject to the Highways Act and the Motor Vehicles Act, a municipality may pass by-laws regulating the use, management, and control of municipal highways;

AND WHEREAS the Village of Carmacks is desirous of ensuring the safe and efficient movement of vehicular and pedestrian traffic and the protection of municipal infrastructure;

NOW THEREFORE, the Council of the Village of Carmacks, in an open meeting duly assembled, hereby enacts as follows:

PART 1.00 SHORT TITLE

1.01 This By-law may be cited as the "Traffic By-law".

PART 2.00 DEFINITIONS

2.01 In this By-law:

- (1) "Bicycle" means a device propelled solely by human power upon which a person may ride, having one or more wheels, with at least one wheel more than 40 centimeters in diameter.
- (2) "By-law Officer" means an individual appointed by Council to enforce the by-laws of the Village of Carmacks.
- (3) "Carmacks Downtown Core/Village Hub/Urban Residential" means the area within the Village of Carmacks designated for commercial activities, as defined in the Village's zoning by-law.
- (4) "Chief Administrative Officer (CAO)" means the person appointed by Council to the position of Chief Administrative Officer for the Village of Carmacks.
- (5) "Commercial Vehicle" means any motor vehicle other than a private vehicle as defined in the Motor Vehicles Act.
- (6) "Council" means the duly elected Council of the Village of Carmacks.

- (7) "Driver" or "Operator" means a person who drives or is in actual physical control of a vehicle.
- (8) "Heavy Vehicle" means any vehicle or combination of vehicles having a total of more than three axles, including the steering axle, but does not include:
 - (a) Vehicles primarily intended for the conveyance of passengers;
 - (b) Vehicles in use for the purpose of construction or repair of any public utility or infrastructure on or within the right-of-way of a highway;
 - (c) Emergency vehicles;
 - (d) Vehicles intended for the purpose of moving buildings while engaged in conveying a building for which the necessary moving permits have been issued;
 - (e) Vehicles recovering a disabled vehicle from a highway.
- (9) "Highway" means any thoroughfare, street, road, lane, alley, or other place that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
 - (a) A sidewalk, including a boulevard portion thereof;
 - (b) Where a ditch lies adjacent to and parallel with the roadway, the ditch;
 - (c) All the land within thirty (30) meters of the center line of the highway.
- (10) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, the exterior edges of the roadways of two or more highways which join one another at an angle, whether or not one highway crosses the other.
- (11) "Motor Coach/Bus" means a vehicle in excess of 11,000 kilograms and nine (9) meters in length primarily intended for the conveyance of passengers.
- (12) "Officer" means a By-law Officer of the Village, or a member of the Royal Canadian Mounted Police.
- (13) "Official" means the Chief Administrative Officer or any other person authorized by Council or the Chief Administrative Officer to act on behalf of the Village.
- (14) "Owner" means the person in whose name a motor vehicle or trailer is or is required to be registered under the Motor Vehicles Act of the Yukon Territory.

- (15) "Person" includes an individual, partnership, association, company, trustee, executor, administrator, or legal representative.
- (16) "Residential Area" means any district classed in the Village's Zoning By-law as residential or any grouping of dwellings in any area where the predominant use of buildings is for residential purposes.
- (17) "Traffic Control Device" means any sign, signal, marking, or device, including the post or standard on which it is mounted, placed, marked, or erected under the authority of this By-law for the purpose of regulating, warning, or guiding traffic.
- (18) "Vehicle" includes a motor vehicle, trailer, semi-trailer, self-propelled machine, or any device by which any person or property is or may be transported or drawn upon a highway.

PART 3.00 ROAD PROTECTION AND SAFETY COMMITTEE

3.01 There is hereby established a Road Protection and Safety Committee, consisting of:

- (1) The Mayor, or in his/her absence the Deputy Mayor,
- (2) The Chief Administrative Officer, or in his/her absence their delegate, and
- (3) The Public Works Superintendent, or in his/her absence their delegate.

3.02 All decisions of the Road Protection and Safety Committee shall be recorded in writing.

PART 4.00 PROTECTION OF HIGHWAYS

4.01 No person shall cause or allow or do any act which is likely to cause or does cause damage to or interfere with the operation of one or more of the following:

- (1) A highway
- (2) A culvert
- (3) A bridge
- (4) A traffic control device
- (5) Any public property or permitted private property situated on a highway or within a road allowance.

4.02 No person shall affix any advertising material, poster, placard, sign, or other material on any traffic control device or any part of a highway, bridge, or culvert without written

permission from the Village, and no person shall erect any device or structure that interferes with the effectiveness or visibility of a traffic control device.

4.03 No person or public utility shall cause an obstruction for the purpose of working on power, phone, or cable utilities without approval from an Official of the Village. Once approval has been obtained, the Village shall cause barriers to be erected, and the fee for this service shall be as set out in the Fees and Charges By-law.

4.04 No person shall cause or allow or do any act which is likely to cause or does cause any obstruction to be on or within one or more of the following:

- (1) A highway
- (2) A culvert
- (3) A bridge
- (4) Any public property or permitted private property situated on a highway or within a road allowance.

4.05 No person shall:

- (1) Excavate or otherwise destruct a highway, including the road allowance thereof, or
- (2) Transport material or loads of material over a highway which would be of an extraordinary use likely to imperil the highway or people living on or near the highway.

4.06 Notwithstanding Section 4.04, a person, with the written approval of an Official of the Village, may excavate or otherwise destruct a highway, including the road allowance thereof, or make extraordinary use of a highway subject to such conditions as may be imposed by the Official. If any unauthorized excavation or destruction occurs, the person responsible for the action shall repair the disturbance to the satisfaction of the Village or reimburse the Village for the cost of repair.

4.07 No person shall cause or allow to be caused by vehicular traffic any disturbance to the traveled roadway surface of paved, gravel, or dirt highways which will rut or mark the traveled roadway surface of the highway to the extent that it will create a hazard for a typical passenger car using that highway. If such a disturbance is caused, the person responsible shall repair the disturbance to the satisfaction of the Village or reimburse the Village for the cost of repair.

4.08 Where a person is using a highway to the extent that such usage creates a dust problem annoying or hazardous to people living alongside or near the highway, the Village may require the said person to provide dust suppression treatment for the highway for as long as the annoyance or hazard exists.

4.09 Where a person uses the highway to an extent which causes the need for more than routine maintenance by the Village, the Village may require the said person to be responsible for providing the additional maintenance needed.

4.10 No person shall dispose of rubbish in a public place or on a highway or within a road allowance unless the rubbish is disposed of in a container placed for the purpose of collecting rubbish.

4.11 An Officer or Official may destroy or otherwise dispose of rubbish or other matter which has been unlawfully deposited on a highway or in a public place or within a road allowance.

4.12 No person shall operate or move on a highway any vehicle, equipment, or machine not equipped with rubber tires which support the weight of the vehicle, equipment, or machine while being operated or moved on a highway without the written permission of the Village.

4.13 No person shall use any implement or machine to cultivate, mow, or in any other way disturb or cause damage to any road allowance or the shoulder of any highway without the written permission of the Village.

4.14 No person shall remove from any highway any gravel, asphalt, pavement, or other material used to surface a roadway without the written permission of the Village.

4.15 No person shall cause or do any act which causes all or parts of a load being transported along a highway to be distributed or otherwise spread onto the surface of the highway or onto the road allowance without the written permission of the Village.

4.16 No person shall deposit or dispose of rocks, earth, vegetation, petroleum products, chemicals, or other similar materials on a highway or within a road allowance without the written permission of the Village. Any person doing so without permission shall be responsible for the removal of all materials deposited and, where necessary, for the restoration of the highway or road allowance to its original or better condition.

4.17 No person shall construct an access onto a highway, nor build a pipeline or other infrastructure along or across a developed highway or undeveloped road allowance, nor use an undeveloped road allowance without the written permission of the Village.

4.18 An Officer or Official is hereby authorized to take any action deemed reasonable and necessary to prevent the continuation of any act prohibited by this By-law and may, but is not restricted to, the following:

- (1) Impound a vehicle, or a vehicle and its cargo and/or equipment, or any other machine, object, or thing used to commit an offense under this Part and to hold the same until it is, in the opinion of the Officer, rendered inoffensive.
- (2) Order the vehicle, machine, or equipment to be removed from the highway or road allowance.
- (3) Detour any vehicle and cargo or other machinery and equipment.
- (4) Order a person to cease any act which causes an offense under this Part.
- (5) Remove and dispose of any signs or other objects improperly affixed to or interfering with traffic control devices, parts of a highway, bridge, or culvert.

PART 5.00 RATES OF SPEED

5.01 For the purposes of this Part, Council hereby delegates authority for the fixing of maximum rates of vehicle speed to the Road Protection and Safety Committee, who shall annually review the rates of speed outlined: 40KM/H throughout the municipality unless otherwise posted; 25KM/H in high-density traffic areas such as the CRC/Village Hub, School Zone, and Merv Tew Park.

5.02 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any curve in a highway where the design of the curve requires a safe traveling speed that is less than the regular maximum vehicle speed for that highway or portion of that highway. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

5.03 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any part of the highway under construction or repair or in a state of disrepair. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

5.04 The Road Protection and Safety Committee is hereby authorized to place such traffic control devices and signals, including but not restricted to speed limit signs and warnings

of changes in speed limits as may be necessary to inform the traveling public of the vehicle speed limits and recommended traveling speeds.

PART 6.00 WEIGHT AND DIMENSION CONTROL ON HIGHWAYS AND BRIDGES

6.01 No person without the written permission of the Village shall operate a vehicle on a highway that exceeds the maximum allowable weight, width, height, or length of the vehicle as determined in the Yukon Highways Act Regulations or the license issued for the vehicle.

6.02 The Road Protection and Safety Committee is hereby delegated the authority to:

- (1) Prohibit the use of any highway by a traction engine or public vehicle, or by a class or classes thereof, for a period or periods that the Committee determines.
- (2) Limit or restrict the speed of a traction engine or public vehicle, or of a class or classes thereof, using a highway for a period or periods that the Committee determines.
- (3) Increase, limit, or restrict the maximum gross weight that may be borne by a tire, an axle, or an axle group, or any of them, or the maximum gross weight that may be borne by a vehicle or combination of vehicles on a highway for a period or periods that the Committee determines, when the Committee is of the opinion that the prohibition, limitation, or restriction is necessary for public safety or the preservation of the highway, or that the increase is appropriate for the road conditions at the time.

6.03 All decisions of the Road Protection and Safety Committee shall be recorded in writing. Changes to standard Territorial road weights shall be advertised by posting the appropriate signage on the highway affected and by notifying the Carmacks Detachment of the RCMP and the Territorial Vehicle Enforcement Section.

6.04 The Chief Administrative Officer is authorized to approve individual overload or over-dimensional permits. Such approvals shall be at the discretion of the approving Official and shall have regard for public safety and road conditions.

PART 7.00 STOP AND YIELD

7.01 Subject to the provisions of this By-law, "stop" and "yield" regulations and prohibitions shall be in compliance with the Yukon Motor Vehicle Act.

7.02 The Road Protection and Safety Committee is hereby authorized to determine the locations at which stop signs and yield signs shall be affixed and at which operators are required to stop or yield, as the case may be. In determining these locations, the Chief

Administrative Officer shall consider public safety, the free flow of traffic, policy approved by Council, and the recommendations of the Manual of Uniform Traffic Control for Canada.

PART 8.00 PARKING AND RESTRICTED PARKING

8.01 For the purposes of this Part, Council hereby delegates to the Road Protection and Safety Committee the authority for the designation and prescribing of "no parking" or "restricted parking" zones, and to have appropriate signs erected. Without restricting the generality of the term, "restricted parking" zones could include angle parking, limited hours of parking, loading zones, and type or size of vehicle that may park. The Road Protection and Safety Committee shall maintain an inventory of the said signage in the form of a written inventory or map.

8.02 In exercising their authority under Section 8.01 above, the Road Protection and Safety Committee shall have due regard for public safety, clear and unobstructed flow of traffic, and, to the degree that it does not hinder the first two objectives, the convenience of the motoring public; as well as any policy approved by Council and the recommendations of the Manual of Uniform Traffic Control for Canada.

8.03 No person shall stop or park a vehicle upon a highway when it is practicable to stop or park the vehicle off the highway, and in no event shall a person stop or park a vehicle on a highway unless a clear and unobstructed width is left between the vehicle and the center line of the highway for the free passage of other vehicles thereon.

8.04 Where a vehicle is parked on a highway not in a developed residential, commercial, or industrial area, there must be a clear view of the parked vehicle for sixty (60) meters in either direction from the vehicle along the highway, and adequate nighttime warning of the vehicle must be placed in front and to the rear of the vehicle.

8.05 No person shall park a vehicle in contravention of a "no parking" or "restricted parking" sign erected by authority of this Part, and no person shall park in a loading zone for any other purpose than to load or unload a vehicle.

8.06 Unless required or permitted by this By-law, or by a traffic control device erected by the authority of this By-law, or by the order of an Officer, or in order to prevent a traffic accident, no person shall stop or park any vehicle:

- (1) On a sidewalk or boulevard,
- (2) In a crosswalk or on any part of a crosswalk,
- (3) Within an intersection,

- (4) At an intersection nearer than within five (5) meters of the projection of the corner property line lying at right angles to the direction of travel,
- (5) Within 1.5 meters of an access to a garage, private road, or driveway,
- (6) Within, upon, alongside, or opposite any public works excavation, obstruction, road construction, or road repair project,
- (7) On any bridge or overpass, or in any underpass, or in the approaches thereto,
- (8) Within five (5) meters of a fire hydrant,
- (9) Within six (6) meters of a stop or yield sign.

8.07 No vehicle in excess of five (5) tons gross vehicle weight may be parked on a road within a residential area of the Village. This section shall not be used to prohibit larger vehicles from parking in a residential area for the period of time in which they are engaged in delivering a service to a residence.

8.08 The parking or storing of a tanker truck with a capacity exceeding 17,000 liters and generally used for the purpose of transporting flammable liquids or gases or other dangerous goods shall be prohibited in the Carmacks Downtown Core/Village Hub/Urban Residential and in any residential area. Notwithstanding this Section, said vehicles may stop for the purpose of immediately off-loading their contents.

8.09 Where a vehicle or other object is left standing upon a highway for more than twenty-four (24) hours without moving, it may be deemed by an Officer to be parked in contravention of this By-law.

8.10 Nothing in this Part shall be construed to prohibit firefighting vehicles or equipment, police vehicles, ambulances, vehicles engaged in highway repair, maintenance and inspection, or vehicles of a public utility from parking on a highway when it is advisable to do so.

8.11 Nothing in this Part shall be construed to prohibit the driver of a school bus from parking on a highway for the purpose of loading or unloading passengers if there is insufficient space off the highway to load or unload passengers.

8.12 For the purpose of the enforcement of the parking provisions of this By-law, an Officer is authorized to place a sticker, notice, or erasable mark on the tire of any parked or stopped vehicle, and the Officer and the Village incur no liability for doing so.

8.13 An Officer may cause to be removed in any reasonable way any vehicle or object found in contravention of this Part or which otherwise is unreasonably obstructing traffic.

8.14 A vehicle or object removed by authority of Section 8.13 may be held, stored, or kept in any place deemed suitable or expedient by an Officer at the cost of the owner or person in charge of the vehicle.

PART 9.00 HEAVY VEHICLES

9.01 Except as otherwise indicated by a traffic control device or as provided for in this Part, no person shall operate, park, or stop to load or off-load a heavy vehicle upon any highway in the Carmacks Downtown Core/Village Hub/Urban Residential.

9.02 Except as provided for in this Part, no person shall operate a heavy vehicle on a highway not designated a truck route in Appendix "A" of this By-law. (Route TBD)

9.03 Except as provided for in this Part, no person shall park a heavy vehicle upon a highway for more than two (2) consecutive hours.

9.04 For the purpose of access to and exit from a work site and for the purpose of loading or unloading furniture at a residence, a person may operate, stop, and park a heavy vehicle on any highway.

9.05 A person may operate a heavy vehicle in the Carmacks Downtown Core/Village Hub/Urban Residential Area between the hours of 6:00 AM and 11:00 AM and between the hours of 7:00 PM and 12:00 Midnight for the purpose of loading or off-loading the heavy vehicle. The Chief Administrative Officer or their delegate is hereby authorized to extend the hours of loading and off-loading for a heavy vehicle in an emergent situation.

9.06 For the purposes of Section 9.05, an emergent situation is one caused by illness of the operator; mechanical problems with the heavy vehicle; unforeseen road conditions; shortages of medical supplies, perishable foods, or fresh milk; or similar situations. Council by resolution may approve policies to regulate emergent situations.

9.07 Where an emergent situation occurs which prevents the operator of a heavy vehicle from complying with Section 9.05, the operator shall cause the situation to be reported to the Village Office on the next regular business day during regular hours. Any operator failing to report said occurrence is in contravention of this By-law.

9.08 Notwithstanding Section 9.05, a person is permitted at any time of the day to off-load fuel from a heavy vehicle to a power plant or service station within the Village, provided that the heavy vehicle shall be parked entirely on private property during the off-loading.

9.09 Where a heavy vehicle must operate on a highway not designated to be a truck route, such heavy vehicle shall proceed on the most direct and shortest route between the nearest truck route and the point of destination.

9.10 The operation of engine compression or engine exhaust brakes is prohibited in residential areas.

PART 10.00 TRACKED VEHICLES

10.01 Notwithstanding Section 4.12 above, a person may operate a tracked vehicle or equipment on any gravel or dirt road within an industrial subdivision and may load or unload tracked vehicles and equipment at or near a work site without the written permission of the Village, provided that the person shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.

10.02 For the purpose of installing, maintaining, or altering installations in a road allowance, the Village and any public utility may operate tracked vehicles or equipment on a highway or in a road allowance, provided that the public utility has first obtained written authorization from the Village and provided that the owner shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.

PART 11.00 MOTOR COACH/BUS OPERATIONS

11.01 Council by resolution may establish restricted areas of operation and regulations governing motor coaches and buses for the purpose of conducting tours. Within residential areas, a person may only operate a bus on bus routes designated by Council resolution and only between the hours of 8:00 AM and 9:00 PM.

11.02 A person shall not stop or park a bus on any highway in the Carmacks Downtown Core/Village Hub/Urban Residential Area for a duration of more than thirty (30) minutes, except for the purpose of loading and off-loading passengers and/or their luggage.

11.03 A person may only stop or park a bus in a residential area for the purpose of loading and off-loading passengers and/or luggage at locations designated by Council resolution.

- (1) Where a person, in order to reach a designated location in a residential area, must operate a bus on other than an approved bus route, they shall proceed on the most direct and shortest route between the nearest truck route and the designated location.

11.04 The use of down draft exhaust air conditioners and engine compression or engine exhaust brakes in residential areas is prohibited.

PART 12.00 GENERAL TRAFFIC CONTROL

12.01 The Council hereby delegates to the Chief Administrative Officer or their delegate the authority for designating and fixing "regulatory" or "warning" traffic control devices.

12.02 The Chief Administrative Officer or their delegate is hereby authorized to designate the location of, and to have erected, any other traffic control devices or signals of a "regulatory", "warning", or "advisory" nature not already authorized by this or any other By-law which might be necessary to ensure the safety of the traveling public and pedestrians and to assist with the free flow of traffic on the highways.

12.03 An inventory of all signs erected under the authority of this or other By-laws shall be kept by the Chief Administrative Officer in writing or in map form.

12.04 The Chief Administrative Officer or their delegate and an Officer are each authorized to sign, close, barricade, or otherwise prevent vehicle passage on any highway or bridge which, in their opinion, has become unsafe, and may, for the purposes of this Section, detour traffic for the distance or on any routes deemed expedient by the officials so authorized.

- (1) Devices erected for the purposes of this Section shall remain erected and in place until the Chief Administrative Officer or their delegate or an Officer is satisfied the highway or bridge is no longer unsafe.

12.05 Notwithstanding anything in this By-law, an Officer may direct traffic according to their discretion where they reasonably consider it necessary to do so in order to:

- (1) Ensure orderly movement of traffic,
- (2) Prevent injury or damage to persons or property,
- (3) Permit proper action in an emergency.

12.06 No operator of a vehicle shall make a U-turn in the Carmacks Downtown Core/Village Hub/Urban Residential Area unless signs have been erected permitting the making of a U-turn.

12.07 Vehicle operators are required to obey all regulatory signs erected under the authority of this By-law and to obey all directions from Officers issued in accordance with this By-law.

12.08 Where written permission of the Village is required or provided for under this By-law, it may be in the form of a letter, agreement, or standardized form signed by an Official of the Village.

PART 13.00 SNOW REMOVAL

13.01 No person shall park or allow a vehicle to remain parked on any highway or portion of a highway in a manner that interferes with snow removal operations.

13.02 The Village may post temporary "No Parking" signs on highways scheduled for snow removal, and it is an offense to park in areas where such signs are posted.

13.03 Any vehicle found parked in contravention of Section 13.02 may be towed at the owner's expense.

13.04 Residents are responsible for clearing snow from sidewalks adjacent to their property within 24 hours after a snowfall.

13.05 No person shall deposit snow or ice from private property onto a highway or sidewalk.

PART 14.00 ADMINISTRATION

14.01 The Chief Administrative Officer is hereby authorized to design and approve all forms, agreements, and permits necessary for the administration of this By-law.

14.02 A person who obtains written approval from the Village for activities on highways or within road allowances in accordance with this By-law but who fails to comply with the conditions of those approvals is guilty of an offense.

14.03 Failure to comply with the conditions of a permit or agreement issued in accordance with this By-law renders the permit or agreement invalid, and any procedure or prosecution subsequent to the violation of a condition of a permit or agreement will proceed as though the permit or agreement did not exist.

14.04 Nothing in this By-law shall obligate municipal officials to issue any permit or agreement, or give approval to any activity.

PART 15.00 PROCEDURE AND PROSECUTION

15.01 For the purpose of procedure and prosecution under this By-law, the Council adopts the provisions of Part CCVII of the Criminal Code of Canada respecting summary conviction; the Canada Interpretation Act; and the Summary Convictions Act, Interpretation Act, Municipal Act, Highways Act, Motor Transport Act, and the Motor Vehicles Act of the Revised Statutes of the Yukon Territory and amendments thereto.

15.02 The conviction of a person under the provisions of this By-law does not operate as a bar to further prosecution for the continued neglect or failure on the part of the person to comply with the provisions of this By-law, or conditions, orders, or permits issued in accordance with this By-law.

15.03 In a prosecution for contravening this By-law, the existence of a traffic control device or signal is prima facie proof that the device was properly designated and erected by the proper authority without other or further proof.

15.04 A certificate or document purporting to be signed by the Chief Administrative Officer stipulating any particular relative to this By-law shall be admitted in evidence as prima facie proof of the facts stated in the certificate or document, without proof of the facts stated in the certificate or document, without proof of the signature or authority of the persons signing the certificate.

15.05 The owner of a vehicle is liable for any contravention of this By-law, regulations, or schedules in connection with the vehicle unless the owner proves to the satisfaction of the Judge trying the case that at the time of the offense, the vehicle was not being operated by them or by any other person having their consent, express or implied.

15.06 Where a person violates or contravenes any provisions of this By-law respecting the transportation of cargo or a piece of equipment or machinery, the shipper and the carrier shall be jointly and severally responsible for the violation or contravention unless the shipper or the carrier, as the case may be, produces evidence to show that they did not violate or contravene the provision.

15.07 While enforcing the provisions of this By-law, an Officer may do any reasonable thing relevant to stopping vehicles and determining the identity of drivers, offenders, or suspects, including contravening provisions of this By-law, providing such contravention is carried out in a manner which has concern for the safety of the general public.

15.08 Unless prohibited by territorial statute, an Officer may use any insignia, device, or piece of equipment that is reasonably necessary for carrying out duties imposed by this By-law.

15.09 All schedules, regulations, and acts of an Official of the Village or of the Road Protection Committee established under the authority of this By-law shall be deemed to have been made by By-law; and all such schedules, regulations, and acts shall be construed as part of this By-law.

15.10 For the intent and purpose of this By-law respecting the duties and powers of any Official and the Road Protection Committee, it shall be deemed sufficient for those officials to amend or rescind any schedule, regulation, or order and to record such action in writing, verified by the signature of the Official or one member of the Road Protection Committee, where appropriate, and the date of the action.

15.11 It shall be sufficient for the purpose of this By-law if signs required by this By-law are posted in the following forms and terms:

- (1) The speed limitations imposed by Part 5.00 "Rates of Speed" shall be expressed on signage in block numerals and may be preceded by "max" or "maximum" or "maximum speed" and may be followed by the terms "kmph" or "km/h". Speed signs featuring other alpha-numeric combinations that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (2) New stop signs shall be comprised of the word "STOP" in white lettering on a red octagonal or red circular background. Stop signs that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (3) New yield signs shall be comprised of the word "YIELD" in a contrasting color on a yellow triangular background, or a red triangle on a white background with or without the word "YIELD" in contrasting color. Yield signs that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (4) Parking signs and all other traffic control devices shall have contrasting colors of printing and background and shall use wording and/or symbols that clearly convey the intent of the restriction or warning. Parking signs and all other traffic control devices in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.

PART 16.00 PENALTIES

16.01 Any person who contravenes the provisions of Part 5.00 "Rates of Speed" is guilty of an offense punishable on summary conviction and is subject to the penalties for speeds as set out in Schedule "A" of this By-law.

16.02 Any person who contravenes the weight provisions of Part 6.00 "Weight Control on Highways and Bridges" as per the Motor Vehicle Act is guilty of an offense punishable in accordance with the overweight charges established in the Motor Transport Act of the Yukon Territory.

16.03 Any person who contravenes any other provisions as set out in Schedule "A" is guilty of an offense punishable on summary conviction and is liable to a penalty as set out in Schedule "A".

16.04 Any person who contravenes any provisions of this By-law for which a penalty has not otherwise been provided is guilty of an offense punishable on summary conviction and is liable to a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand five hundred dollars (\$2,500.00), and in default of payment is liable to imprisonment for a term not exceeding six (6) months, or to imprisonment for a term not exceeding six (6) months without the option of a fine, or to both a fine and imprisonment.

16.05 A person served with notice of an offense of this By-law may pay to the Village the specified penalty, out of court, and in lieu of appearing in answer to a charge or information.

- (1) The voluntary payment option shall be valid for no more than ten (10) days following the issue of the notice. Thereafter, if the person does not pay the penalty, they may be summoned to appear before a Judge in answer to a charge or information.

16.06 Notwithstanding Section 16.05, an Officer may:

- (1) Issue to a person charged with an offense a summons forming part of a "Violation Ticket" according to the Summary Convictions Act, Violation Ticket Regulation, and indicate thereon the specified penalty applicable to the offense as prescribed in Schedule "A".
- (2) Issue to a person charged with an offense, a Criminal Code Form 6 Summons requiring a person to appear before a Judge of the Territorial Court of the Yukon in answer to a charge or information.

16.07 Service of notice of an offense referred to in Section 16.05 and 16.06 above shall be sufficient if it is:

- (1) Personally served, or
- (2) Attached to or left in or on the vehicle in respect of which an offense is alleged to have been committed, and/or
- (3) Mailed to the address of the registered owner of the vehicle or person in possession of the vehicle.

16.08 Any fine or penalty imposed under this By-law shall inure to the benefit of the Village.

16.09 Schedules "A" and "B" of this By-law may be amended from time to time by resolution of Council.

PART 17.00 EFFECTIVE DATE

17.01 This By-law shall come into full force and effect on the final passing thereof.

READ A FIRST TIME this __ day of __, 2024.

READ A SECOND TIME this __ day of __, 2024.

READ A THIRD TIME AND FINALLY PASSED this __ day of __, 2024.

Mayor – Lee Bodie

CAO – Matthew Cybulski

SCHEDULE "A"

Penalties for Offenses

1. Damage or obstruction of a highway, culvert, or bridge
 - o \$500.00
2. Affixing unauthorized material to traffic control devices
 - o \$200.00
3. Excavating a highway without permission
 - o \$1,000.00
4. Causing a disturbance to the traveled roadway surface
 - o \$500.00
5. Improper parking in a restricted zone
 - o \$50.00
6. Improperly Secured Load
 - o \$50.00
7. Unauthorized use of heavy vehicle on non-designated routes
 - o \$250.00
8. Parking in a snow removal zone
 - o \$100.00

9. Depositing snow/rocks/debris on a highway or roadway

- \$150.00

10. Overweight vehicles

- As per Motor Transport Act of the Yukon Territory

11. Fail to obey a miscellaneous traffic control device

- \$100

Village of Carmacks

By-law 309-24

A BY-LAW OF THE VILLAGE OF CARMACKS TO PROVIDE FOR THE OPERATION OF THE CARMACKS VOLUNTEER FIRE DEPARTMENT (CVFD)

WHEREAS Section 187 of the Municipal Act 1998, Chapter 19, requires that Council act by by-law to provide for other officers and employees as may be considered necessary or expedient for the good government of the municipality and carrying out the provisions of this act; and

WHEREAS Council desires to continue a fire service within the Municipal Corporation of Carmacks, appoint officers, and provide for the efficient operation of such a fire service;

NOW THEREFORE the Council of the Village of Carmacks, in an open meeting duly assembled, enacts as follows:

Section 1: Short Title

1.1 This by-law may be cited as the “Carmacks Volunteer Fire Department By-law.”

Section 2: Definitions

In this by-law:

- **CAO** means the Chief Administrative Officer for the Village of Carmacks.
- **Captain** means the person appointed by Council resolution or elected as Captain of the Carmacks Volunteer Fire Department (CVFD).
- **Council** means the duly elected Council of the Village of Carmacks, who are sworn to office.
- **Dangerous Goods** means any material or substance that may constitute an immediate or long-term adverse effect to life, health, property, or the environment when burned, leaked, spilled, or otherwise released from its normal use, handling, storage, or transportation environment, and shall include those products covered by the Transportation of Dangerous Goods Regulations.
- **Department** means the Carmacks Volunteer Fire Department.

- **Deputy Fire Chief** means the person appointed by Council resolution or elected as Deputy Chief of the CVFD.
- **Fire Chief** means the person appointed by Council resolution or elected as Chief of the CVFD.
- **Fire Fighter** means a firefighter enrolled as a volunteer member listed on the records of the CVFD.
- **Fire Marshall** means the officer of the Yukon Public Safety Branch in charge of fire prevention activities within the Yukon.
- **Fire Protection** means all aspects of fire safety, including fire prevention, fire suppression, fire investigation, public education, training, advising, and dissemination of fire safety information.
- **Incident** means a fire or a situation where an explosion is imminent, or any other situation where there is danger or possible danger to health, life, property, or the environment, and to which the CVFD has responded.
- **Incident Commander** means the senior member of the CVFD in charge of an incident.
- **Mayor** means the duly elected or appointed Mayor of the Village of Carmacks, sworn to office.
- **Member** means any person duly appointed or recruited to a position on the CVFD or a member of the public conscripted by the Fire Chief or designate.

Section 3: Administration

3.1 Monthly Reporting Requirements

The Fire Chief shall submit a monthly report to Council during regularly scheduled Council meetings. This report shall include a summary of department activities, attendance records, financial expenses, and an itemized list of all honorarium requests. The report must also include a budget/variance review for the month.

3.2 Expense Tracking and Submission

All expenses, including honorariums, equipment, and training costs, must be documented and submitted to the CAO and Council on a monthly basis for approval.

3.3 Annual Reports

An annual report summarizing the department's activities, including training sessions,

incidents, equipment status, and financial expenditures, must be submitted to the Council by the Fire Chief.

Section 4: Role Definitions and Election Process

4.1 Election Process for Key Roles

The roles of Fire Chief, Deputy Fire Chief, Captain, and Training Officer shall be subject to an election process conducted within the CVFD every municipal election cycle (approximately every four (4) years).

4.2 Acclamation or Appointment

If an election cannot be held due to insufficient candidates or participation from CVFD members, the Council may, at its discretion, appoint individuals to these roles. In exceptional circumstances, roles may be acclaimed if only one candidate is available for a position.

4.3 Role Definitions:

- **Fire Chief**
The Fire Chief is responsible for the overall operation and administration of the CVFD, including but not limited to overseeing incidents, managing the department's budget, and ensuring all equipment is maintained.
 - **Deputy Fire Chief**
The Deputy Fire Chief assists the Fire Chief in the execution of duties and assumes the responsibilities of the Fire Chief in their absence.
 - **Captain**
The Captain supports both the Fire Chief and Deputy Fire Chief in managing fire incidents and ensuring crew safety. The Captain is also responsible for the regular inspection and upkeep of equipment.
 - **Training Officer**
The Training Officer is responsible for organizing and coordinating all training activities for the CVFD, ensuring compliance with safety standards and professional development requirements for all members.
-

Section 5: Response Jurisdictions

5.1 The Carmacks Volunteer Fire Department (CVFD) shall consist of a Fire Chief, Deputy Fire Chief, Captain, members, buildings, apparatus, and equipment necessary to protect people and property. A department membership of twelve (12), including the Fire Chief and Deputy Chief, is desired.

5.2 The Fire Chief shall be appointed by resolution of Council, or through an election process within the CVFD as defined in Section 4.

5.3 The Deputy Fire Chief shall be appointed by resolution of Council, upon the recommendation of the Fire Chief or through the election process defined in Section 4.

5.4 The Captain shall be appointed by resolution of Council, upon the recommendation of the Fire Chief or through the election process defined in Section 4.

5.5 Firefighters shall be appointed by the Fire Chief, upon the recommendation of serving firefighters.

5.6 No emergency unit shall be used beyond the limits of the municipal boundary without the approval of Council, except where duly approved contracts or agreements have been entered into with the municipality for the use of said apparatus.

Section 6: Carmacks Emergency Response Center

6.1 The Carmacks Emergency Response Center, located at 197 River Drive, Carmacks, YT, Y0B 1C0, shall serve as the central location for all emergency response services, including fire protection, coordinated by the Carmacks Volunteer Fire Department.

6.2 All department equipment and apparatus shall be maintained and stored at the Carmacks Emergency Response Center.

Section 7: Authority of the Fire Chief

7.1 The Fire Chief shall be the executive officer of the department and is responsible for:

- Full control and command of all personnel.
- Assigning duties to members.
- Managing the department's budget and ensuring all purchases are approved by the CAO and Council.

- Establishing rules, regulations, and policies for the efficient operation of the department.

7.2 The Fire Chief shall submit monthly reports to Council, detailing department activities, attendance, and financial matters.

7.3 The Fire Chief or Incident Commander has the authority to enter premises where an incident has occurred, along with department personnel and equipment, to manage the incident.

7.4 The Fire Chief or Incident Commander may establish limits around the vicinity of an incident, restricting access to non-authorized personnel.

Section 8: Requirement for Annual Review of Fire Protection Agreement

8.1 The Fire Chief and the CAO shall ensure that the **Village of Carmacks & Little Salmon Carmacks First Nation Fire Protection Agreement** is reviewed annually.

8.2 The review shall ensure that both parties are up to date on their responsibilities, service levels, and any necessary amendments to the agreement.

8.3 A report on the outcome of the review shall be submitted to Council during the first quarter of each calendar year.

Section 9: Discharge of Duties

9.1 The Fire Chief or any department employee, acting in good faith and without malice, shall not be personally liable for any damage that may occur to persons or property as a result of their duties.

Section 10: Fire Prevention

10.1 The Yukon Fire Marshall may establish a schedule for the inspection of buildings, structures, or places within the municipality, based on their age, use, and occupancy.

10.2 Any designated member of the department may inspect any building or structure upon receipt of a complaint regarding fire safety.

Section 11: Requirement to Report

11.1 The owner or authorized agent of any property damaged by fire must immediately report the particulars of the fire to the department in a manner satisfactory to the Fire Chief or their designate.

11.2 Any accidental or unplanned release of dangerous goods must also be reported immediately to the department by the owner or authorized agent of the property.

Section 12: Violations

12.1 Any person who obstructs or prevents a fire inspector or investigator from entering premises for inspection purposes, or who incites or abets such actions, shall be in breach of this by-law.

12.2 No person shall hinder or obstruct any department member engaged in firefighting or related duties.

12.3 No person shall falsely represent themselves as a member of the department.

12.4 Violations of this by-law shall result in a summary conviction with fines as outlined by the Statutes of the Yukon Territory.

Section 13: Enactment

13.1 This by-law shall come into force upon the final passing thereof.

13.2 By-law 165-08 and all related amendments are hereby repealed.

Read a first time this ____ day of ____, 2024

Read a second time this ____ day of ____, 2024

Read a third time and finally passed this ____ day of ____, 2024

Mayor Lee Bodie

CAO Matthew Cybulski

Schedule "A": Indemnity Schedule

- **Fire Chief:** \$650/month

- **Deputy Fire Chief:** \$325/month
 - **Captain:** \$250/month
 - **Training Coordinator:** \$200/month
 - **Firefighters (Incident Response):** \$30/hour
 - **Firefighters (Practices):** \$50/practice
 - **Firefighters (Local Training):** \$30/hour
 - **Firefighters (Out of Town Training):** Expenses only
-

Schedule “B”: Municipal Boundary

(Include municipal boundary map here)

Schedule “C”: Description of Officers’ Duties & Responsibilities

(Include duties and responsibilities as defined in By-law 165-08)

Village of Carmacks By-law 310-24

A BY-LAW OF THE VILLAGE OF CARMACKS IN THE YUKON TERRITORY TO PROVIDE FOR THE INDEMNITIES TO BE PAID AND EXPENSES TO BE REIMBURSED TO THE MAYOR AND COUNCILLORS

WHEREAS Section 173 of the Municipal Act, being Chapter 154 of the Revised Statutes of the Yukon 2002 and amendments thereto, provides that a council may by by-law establish the types, rates, and conditions of payments to be made to or on behalf of members of the council, members of council committees, or other persons;

AND WHEREAS the Council deems it necessary to provide for compensation for attending meetings and attending to other municipal duties, of which a specified portion may be an allowance for expenses incidental to those duties;

AND WHEREAS the Council deems it necessary to provide for expenses incurred while attending meetings and other municipal duties;

AND WHEREAS the Council deems it necessary to provide for payments for any other purpose relating to the person's municipal duties that the Council deems appropriate;

NOW THEREFORE the Council of the Village of Carmacks in an open meeting duly assembled enacts as follows:

1. SHORT TITLE

This by-law may be cited as the "Council Indemnity and Expense By-law 310-24."

2. DEFINITIONS

In this by-law:

- **Council Member** means any member of Council who has been elected, acclaimed, or appointed to serve as a Councillor or Mayor and has been sworn to office.
- **Councillor** means a member of Council who has been elected, acclaimed, or appointed to serve on Council and has been sworn to office.
- **Mayor** means the chief elected official sworn to office following the most recent municipal election or having been so appointed by Council.
- **Deputy Mayor** means a Councillor acting in the place of the Mayor when they are absent. This position will rotate annually among the Councillors during the 4-year public office term.

- **Chief Administrative Officer (CAO)** means the Chief Administrative Officer of the Village of Carmacks or their designate.
- **Indemnity** means the total annual payment made to Council Members.
- **Expenses** means any expenditure made in the performance of municipal business approved by resolution of Council if the Council member is absent from the community.
- **Per-diem** means additional expenses for time attending meetings or Council duties beyond regular Council meetings.
- **One week** means seven (7) calendar days.

3. ADMINISTRATION

The Chief Administrative Officer is appointed to administer this by-law.

4. GENERAL PROVISIONS

a. The annual indemnity for the Mayor shall be **fifteen thousand two hundred fifty-two dollars and sixty-four cents** (\$15,252.64), reflecting a 4% increase from \$14,666.00.

b. The annual indemnity for each Councillor and the Deputy Mayor shall be **twelve thousand two hundred two dollars and sixty-six cents** (\$12,202.66), reflecting a 4% increase from \$11,733.00.

c. The annual indemnity will be paid to the Mayor and Councillors in twenty-six (26) equal payments by direct bank deposit.

d. The Deputy Mayor, upon performing the duties of Mayor for a period in excess of one week, shall be compensated as per the Mayor's indemnity for the whole acting period.

5. DEDUCTIONS FOR MISSED MEETINGS

a. A twenty-five percent (25%) deduction will be made from the bi-weekly payment if one (1) regularly scheduled Council meeting or other scheduled meeting is not attended by the Council member, unless the reduction is waived by Council resolution.

b. A fifty percent (50%) deduction will be made from the bi-weekly payment if two (2) consecutive meetings, whether they are regularly scheduled Council meetings or other scheduled meetings, or a combination thereof, are not attended by the Council member, unless the reduction is waived by Council resolution.

c. A one hundred percent (100%) deduction will be made from the bi-weekly payment if three (3) consecutive meetings, whether they are regularly scheduled Council meetings or

other scheduled meetings, or a combination thereof, are not attended by the Council member, unless the reduction is waived by Council resolution.

6. REVENUE CANADA DEDUCTIONS

All lawful Revenue Canada deductions will be deducted from the bi-weekly payment and remitted to Revenue Canada.

7. TRAVEL EXPENSES

a. Council members will be reimbursed for travel expenses (meals, transportation, accommodation, etc.) on the same basis as those approved by the Yukon Government for employees on travel status. The Yukon Government Incidental Expense will be paid when the member stays overnight.

b. **Opt-Out Provision for Meals:** Elected officials may opt out of host-provided meals during travel for a flat rate of seventy-five dollars (\$75) per day to cover meal expenses.

8. REVIEW

This by-law will be reviewed by each Council during its tenure.

9. REMOTE ATTENDANCE

a. Council members shall, at the discretion of the Chair, be permitted to attend Council meetings remotely, that is, to take part in debate and vote by telephone or electronic means, provided that the conditions specified in paragraphs (b) and (c) below are met.

b. The Chair shall only permit remote attendance for good reasons, such as illness, personal emergency, or being out of town.

c. The Village shall maintain a reliable means for members of Council to attend meetings remotely, preferably by a video conferencing system, or alternatively by speaker phone or other similar device, so long as whatever system or device is used permits all members attending, whether in person or remotely, to hear each other and participate in debate.

10. ENACTMENT

This by-law shall come into force and effect on the first day of January 2025.

By-law 273-21 is hereby repealed.

READ A FIRST TIME THIS 3rd DAY OF October 2024.

READ A SECOND TIME THIS 3rd DAY OF October 2024.

READ A THIRD TIME AND FINALLY PASSED THIS ___ DAY OF _____ 2024.

SIGNED:

Mayor Lee Bodie _____

Chief Administrative Officer Matthew Cybulski _____