

COURT FILE NUMBER 2203 01800
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
APPLICANT CITY OF EDMONTON
RESPONDENTS JANE DOE 1-50, JOHN DOE 1-50 and PERSONS UNKNOWN
DOCUMENT **ORDER**
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**Attention: Derek J King
Counsel for the Applicant, City of
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File: 71156-0008/DJK

DATE ON WHICH ORDER WAS PRONOUNCED: Friday, February 11, 2022

LOCATION AT WHICH ORDER WAS PRONOUNCED: Edmonton, Alberta

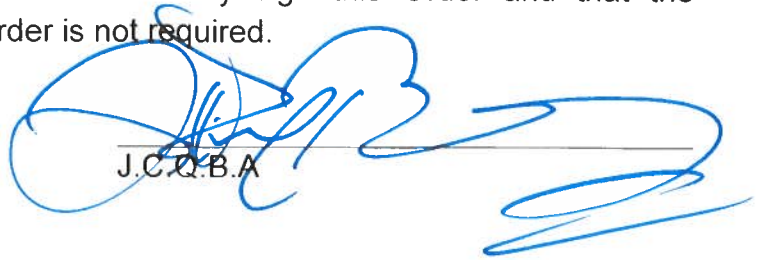
NAME OF JUSTICE WHO MADE THIS ORDER: Justice R.P. Belzil

UPON THE EX-PARTE APPLICATION of the Applicant, the City of Edmonton (the "City"); AND UPON hearing from legal counsel for the Applicant; AND UPON HAVING READ the Affidavits of Mary Sturgeon, Christopher Terry and Josh Bonogofski, Kim Petrin, and Lynn Parish; IT IS HEREBY ORDERED THAT:

1. The City is granted an interim injunction pursuant to section 554 of the *Municipal Government Act*, RSA 2000, c M-26 prohibiting the Respondents the frequent or sustained sounding of motor vehicle horns, truck air horns, equipment horns, megaphones and other similar noise making devices within the boundaries of the

- City contrary to the Community Standards Bylaw 14600 (the “Community Standards Bylaw”).
2. Alternatively, the City is granted a *quia timet* interim injunction prohibiting the Respondents from the frequent or sustained sounding of motor vehicle horns, truck air horns, equipment horns, megaphones and other similar noise making devices within the boundaries of the City contrary to the Community Standards Bylaw 14600 (the “Community Standards Bylaw”).
 3. Pursuant to Rule 11.27 of the *Rules of Court*, service of this Order may be given by posting copies of this Order in and around the vicinity of the Legislative Grounds in downtown Edmonton; reading this Order to any person, including but not limited to reading this Order over an amplification system; publishing this Order online, including on social media accounts associated with the Respondents and the City; and distributing copies of this Order to the media.
 4. Service in the manner described in paragraph 4 is deemed good and sufficient.
 5. Any police officer with the Edmonton Police Service (the “Police”) are authorized to arrest and remove any person who has knowledge of this Order, including by way of a form of Notice set out at paragraph 3, and who the Police have reasonable and probable grounds to believe is contravening or has contravened any provision of this Order.
 6. The Police shall retain the discretion:
 - (a) as to the timing and manner of enforcement of this Order, including the discretion as to the timing and manner of arrest and removal of a person pursuant to this Order; and
 - (b) to detain and release any person without arrest who the Police have reasonable and probably grounds to believe is contravening, or has contravened, any provisions of this Order, upon that person agreeing in writing to abide by this Order.
 7. The Respondents and any other persons shall remain at liberty to engage in peaceful, lawful and safe protest subject to the provisions of this Order.
 8. This Order shall not apply to persons acting in the normal course of or in the exercise of a statutory duty, power or authority.
 9. This Order shall remain in force until the hearing of the application for a permanent injunction scheduled for March 4, 2022, in Chambers, or such other date to which the matter may be adjourned.
 10. Costs shall be in the cause.

11. Pursuant to Rule 9.4(2), the court clerk may sign this Order and that the Respondents' approval of this Order is not required.



J.C.Q.B.A