

BY-LAW NO. 981

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87 ENACTED FOR THE PURPOSE TO PREVENT AND COMPEL THE ABATEMENT OF NUISANCES AND REGULATING UNTIDY PREMISES.

WHEREAS, Section 160 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, provides that a Council of a Municipality may pass bylaws for preventing and compelling the abatement of nuisances generally and regulating untidy and unsightly premises.

WHEREAS, the Council of the Municipal District of Bonnyville wishes to prevent and compel the abatement of nuisances and regulate untidy and unsightly premises within the Municipal District.

NOW THEREFORE, Council of the Municipal District of Bonnyville No. 87, in the Province of Alberta, duly assembled, enacts as follows:

Section 1 - Name of Bylaw

1.1 This Bylaw may be cited as The Nuisance Bylaw

Section 2 - Definitions

- a) "Council" means the Council of the Municipal District of Bonnyville No. 87 or its duly appointed agents. Agents shall include the Manager, Assistant Manager and Bylaw Enforcement Officer and any member of the Royal Canadian Mounted Police Force or any other person so appointed by a resolution of Council.
- b) "Owner" means any person who is registered under the Land Titles Act as owner of the land or in the case of property other than land, any person who is in lawful possession thereof including agent of the owner, lessee or occupier of any land or premises.
- c) "Municipal District" means the Municipal District of Bonnyville No. 87 in the Province of Alberta.
- d) "Untidy and Unsightly Premises" means a premise not in keeping with the surrounding properties of similar zoning under the Land Use Bylaw of the Municipal District of Bonnyville No. 87.

Section 3 - Regulation

- 3.1 No person being the owner, agent of the owner, lessee, or occupier of any land or premises within the Municipal District, shall permit the land or premises of which such person is the owner, agent of the owner, lessee, or occupier to be or to remain a nuisance.
- 3.2 No person being the owner, agent of the owner, lessee, or occupier of any land or premises within the Municipal District shall permit the land or premises of which such person is the owner, agent of the owner, lessee or occupier, to be or to remain untidy or unsightly.

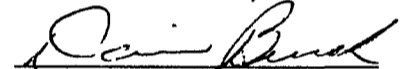
- 3.3 No person being the owner, agent of the owner, lessee, or occupier, of any land or premises within the Municipal District shall permit any building, structure, or erection of any kind whatsoever, or any excavation, depression, drain, ditch, water course, pond, surface water, refuse or other matter or thing upon any private land, street or road, or in or about any building or structure, of which such person is the owner, agent of the owner, lessee, or occupier or to be or remain a nuisance, unsightly or dangerous to public safety or health.
- 3.4 In a residential area no person shall allow a dismantled vehicle or parts thereof to remain outside a building for more than 14 consecutive days.
- 3.5 If the Council considers it necessary for the prevention of abatement of a nuisance or the regulation of untidy or unsightly premises, it may direct the owner, agent of the owner, lessee, or occupier of any property, whether public or private, to eradicate weeds, or to cut the grass on such property as well as grass on the boulevards which abut or flank such property, or to do such other things as the Council in its discretion deems necessary for the prevention or abatement of a nuisance or for the remedying of any untidy or unsightly condition on any premises.
- 3.6 If a tree or shrub, whether on private property or otherwise, in any way interferes with or endangers the lines, poles, conduits, pipes, sewers or other works of a utility of the Municipal District, or of any other public utility, the Council may direct the owner, agent of the owner, lessee or occupier of the property on which such tree or shrub stands, to remove or prune the tree or shrub, or to take such other steps as Council may deem necessary to alleviate the interference with or danger to such works.
- 3.7 The Medical Officers of the North East Health Unit, Municipal District Engineer, the Fire Chief, Deputy Fire Chief and Fire Inspectors, the Building Inspector, the Agricultural Fieldman and Weed Inspectors appointed pursuant to the Weed Control Act, and any employees in said departments authorized by their respective departmental heads, are hereby authorized to enter into any lands, buildings, or premises at a reasonable hour of any weekday to inspect for conditions that may constitute a nuisance or contravene or fail to comply with the provisions of this Bylaw.

Section 4 - Enforcement

- 4.1 The Council or its agent may serve notice upon any owner, agent of the owner, lessee, or occupier of any land or premises who has committed a breach of this Bylaw requiring such person to abate the nuisance within a stated time. A stated time shall be reasonable time considering the nature of the abatement, but shall not be less than 24 hours nor more than 14 days, should such person fail to abate the nuisance within the time stipulated in the notice he shall have committed another breach of this Bylaw and the Municipality through its appointed official may enter the said land and cause the nuisance to be abated and the cost thereof maybe recovered as debt owing to the Municipality in the same manner as real property taxes.
- 4.2 Any owner, agent of the owner, lessee, or occupier, who contravenes the provisions of this Bylaw shall be liable on a summary conviction to the penalties imposed by Bylaw No. 36 (as amended by Bylaw No.746) being a Bylaw for the enforcement of the Bylaws of the Municipal District of Bonnyville No. 87.

Bylaw No. 822 is hereby rescinded.

READ A FIRST TIME IN COUNCIL THIS 11 DAY OF AUGUST, 1988.


REEVE


MUNICIPAL MANAGER

READ A SECOND AND THIRD TIME AND FINALLY PASSED IN COUNCIL THIS 11 DAY OF AUGUST, 1988.


REEVE


MUNICIPAL MANAGER