

BYLAW NO 2017-7

THE NUISANCE ABATEMENT BYLAW

17. Materials referred to in section 15 shall be elevated at least 0.15 metres off the ground and shall be stacked at least 3.0 metres from the exterior walls of any building and at least 1.0 metre from the property line.

REFRIGERATORS AND FREEZERS

18. Any refrigerator or freezer left in a yard shall first have its hinges, latches, lid, door or doors removed.

FENCES

19. Fences shall be maintained in a safe and reasonable state of repair.

ENFORCEMENT OF BYLAW

20. The administration and enforcement of this Bylaw is hereby delegated to the Administrator for the Rural Municipality of Calder No. 241.
21. The Administrator of Rural Municipality of Calder No. 241 is hereby authorized to further delegate the administration and enforcement of this Bylaw to any agent, employee or council member of the Rural Municipality of Calder No. 241.

INSPECTIONS

22. The inspection of property by the Municipality to determine if this bylaw is being complied with is hereby authorized.
23. Inspections under this Bylaw shall be carried out in accordance with section 362 of The Municipalities Act.
24. No person shall obstruct a Designated Officer who is authorized to conduct an inspection under this section, or a person who is assisting a Designated Officer.

ORDER TO REMEDY CONTRAVENTIONS

25. If a Designated Officer finds that a person is contravening this bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
26. Orders given under this bylaw shall comply with section 364 of The Municipalities Act.
27. Orders given under this bylaw shall be served in accordance with section 390 of The Municipalities Act.

REGISTRATION OF NOTICE OF ORDER

28. If an order is issued pursuant to section 24, the Municipality may, in accordance with section 364 of The Municipalities Act, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.

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APPEAL OF ORDER TO REMEDY

29. A person may appeal an order made pursuant to section 24 in accordance with section 365 of The Municipalities Act.

MUNICIPALITY REMEDYING CONTRAVENTIONS

30. The Municipality may, in accordance with Section 366 of The Municipalities Act, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.
31. In an emergency, the Municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of section 367 of The Municipalities Act.

RECOVERY OF UNPAID EXPENSES AND COSTS

32. Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this bylaw may be recovered either:
- by civil action for debt in a court of competent jurisdiction in accordance with section 368 of The Municipalities Act; or
 - by adding the amount to the taxes on the property on which the work is done in accordance with section 369 of The Municipalities Act.

OFFENCES AND PENALTIES

33. No person shall:
- fail to comply with an order made pursuant to this bylaw;
 - obstruct or interfere with any Designated Officer or any other person acting under the authority of this bylaw; or
 - fail to comply with any other provision of this bylaw.
34. A Designated Officer who has reason to believe that a person has contravened any provision of this bylaw may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the Municipality will accept voluntary payment in the sum **of the greater of ONE HUNDRED DOLLARS (\$100.00) or TWELVE PERCENT (12%) of the costs to remedy the contravention to be paid to the Municipality within TWENTY (20) days.**
35. Where the Municipality receives voluntary payment of the amount prescribed under section 33 within the time specified, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
36. Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to section 24 of this bylaw.

Certified a true copy of Bylaw # 2017-7
adopted by resolution of Council
on the 12 day of July, 2017

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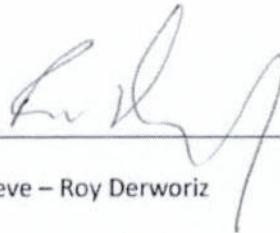
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37. Every person who contravenes any provision of section 32 is guilty of an offence and liable on summary conviction:
- a. in the case of an individual, to a fine of not more than \$10,000;
 - b. in the case of a corporation, to a fine of not more than \$25,000; and
 - c. in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.


COMING INTO FORCE

38. This bylaw shall come into force on the day of its final passing.






Reeve – Roy Derworiz



Administrator – Wendy Becenko

CERTIFIED THAT the adoption of this bylaw was passed by a resolution of the Council of the Rural Municipality of Calder No. 241 at a duly convened meeting held on the 12 day of July, 2017.



ADMINISTRATOR: WENDY BECENKO

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adopted by resolution of Council
on the 12 day of July, 2017