

BYLAW NUMBER 2012-08

A BYLAW TO CONTROL NUISANCES

THE COUNCIL OF THE VILLAGE OF RIVERHURST IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

1. Unless otherwise specified, the owner of a property, including land, buildings and structures, shall be responsible for carrying out the provisions of this Bylaw.
2. No person shall cause or permit a nuisance to occur on any property owned by that person.
3. No person shall cause or permit a building or structure to deteriorate into a ruinous or dilapidated state such that the building or structure:
  - a) is dangerous to the public health or safety;
  - b) substantially depreciates the value of other land or improvements in the neighbourhood; or
  - c) is substantially detrimental to the amenities of the neighbourhood.
4. No person shall cause or permit an unoccupied building to become damaged or to deteriorate into a state of disrepair such that the building is an imminent danger to public safety.
5. No owner or occupant of land shall cause or permit the land to be overgrown with grass or weeds.
6. For the purposes of this section 5 of this bylaw, "overgrown" means in excess of 0.20 metres in height.
7. Section 6 of this bylaw shall not apply to any growth which forms part of a natural garden that has been deliberately planted to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.
8. No person shall cause or permit any land or buildings to become untidy and unsightly.
9. No person shall cause or permit any junked vehicle to be kept on any land owned by that person.
10. No person shall cause or permit any basement, excavation, drain, ditch, watercourse, pond, surface water, swimming pool or other structure to exist in or on any private land or in or about any building or structure which is dangerous to the public safety or health.
11. No person shall cause or permit on any property owned by that person:
  - a) an infestation of rodents, vermin or insects;
  - b) any dead or hazardous trees; or
  - c) any sharp or dangerous objects.
12. Any building materials, lumber, scrap metal, boxes or similar items stored in a yard shall be neatly stacked in piles and elevated off the ground so as not to constitute a nuisance or harbourage for rodents, vermin and insects.
13. 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.
14. Any refrigerator or freezer left in a yard shall first have its hinges, latches, lid, door or doors removed.
15. Fences shall be maintained in a safe and reasonable state of repair.

16. The administration and enforcement of this bylaw is hereby delegated to the designated bylaw officer.
17. The Administrator of the Village of Riverhurst is hereby authorized to further delegate the administration and enforcement of this bylaw to any person approved by council.
18. The inspection of property by the Municipality to determine if this bylaw is being complied with is hereby authorized.
19. 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.
20. 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.
21. If an order is issued, 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.
22. 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.
23. 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*.
24. Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this bylaw may be recovered either:
  - d) by civil action for debt in a court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*; or
  - e) 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*.
25. No person shall:
  - f) fail to comply with an order made pursuant to this bylaw;
  - g) obstruct or interfere with any Designated Officer or any other person acting under the authority of this bylaw; or
  - h) fail to comply with any other provision of this bylaw.
26. 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 not less than \$200.00 and not more than \$3000.00 to be paid to the Municipality within 30 days of the date on the Notice of Violation.
27. Payment of any Notice of Violation does not exempt the person from enforcement of an order.
28. Bylaw #2006-04 is hereby repealed.

Read a third time and adopted this 9<sup>th</sup> day of July, 2012.

Certified a true copy of Bylaw No. 2012-08 adopted by the council of the Village of Riverhurst on the 9<sup>th</sup> day of July, 2012.

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Kyle Van Den Bosch  
Administrator

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Mayor