

TOWN OF STAR CITY

BYLAW NO. 450-2005

A BYLAW TO PROVIDE FOR THE ABATEMENT OF NUISANCES

The council for the Town of Star City in the Province of Saskatchewan enacts as follows:

Short Title

1. This Bylaw may be cited as The Nuisance Abatement Bylaw.

Purpose

2. The purpose of this Bylaw is to provide for the abatement of nuisances, including property, activities, or things that adversely affect:
 - a) the safety, health or welfare of people in the neighbourhood;
 - b) people's use and enjoyment of their property; or
 - c) the amenity of a neighbourhood.

Definitions

3. In this Bylaw:
 - a) "Designated Officer" means an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purposes of this Bylaw;
 - b) "building" means a building within the meaning of *The Municipalities Act*;
 - c) "Municipality" means the Town of Star City;
 - d) "Council" means the Council of the Town of Star City;
 - e) "junked vehicle" means any automobile, tractor, truck, trailer or other vehicle that
 - i) either:
 - (1) has no valid license plates attached to it; or
 - (2) is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition; and
 - ii) is located on private land, but that:
 - (1) is not within a structure erected in accordance with any Bylaw respecting the erection of buildings and structures in force within the Municipality; and
 - (2) does not form a part of a business enterprise lawfully being operated on that land;
 - f) "nuisance" means a condition of property, or a thing, or an activity, that adversely affects or may adversely affect:
 - i) the safety, health or welfare of people in the neighbourhood;
 - ii) people's use and enjoyment of their property; or
 - iii) the amenity of a neighbourhoodand includes:
 - i) a building in a ruinous or dilapidated state of repair;
 - ii) an unoccupied building that is damaged and is an imminent danger to public safety;
 - iii) land that is overgrown with grass and weeds;
 - iv) untidy and unsightly property;

Junked Vehicles

12. Notwithstanding the generality of Section 5, no person shall cause or permit any junked vehicle to be kept on any land owned by that person.

Open Excavations

13. Notwithstanding the generality of Section 5, 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.

Maintenance of Yards

14. Notwithstanding the generality of section 5, 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.

Outdoor Storage of Materials

15. 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 harborage for rodents, vermin and insects.
16. 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

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

Fences

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

Enforcement of Bylaw

19. The administration and enforcement of this Bylaw is hereby delegated to the Administrator / Clerk for the Town of Star City.

Inspections

20. The inspection of property by the Municipality to determine if this Bylaw is being complied with is hereby authorized.
21. Inspections under this Bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.
22. 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.

33. 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.
34. Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to Section 24 of this Bylaw.
35. 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

36. This Bylaw shall come into force on the day of its final passing.

Read a third time and adopted this ____ day of _____, 2005.

Mayor

Administrator