

VILLAGE OF PAYNTON
BYLAW NO. 1 - 2008
NUISANCE ABATEMENT BYLAW

A BYLAW OF THE VILLAGE OF PAYNTON TO PROVIDE FOR THE ABATEMENT OF NUISANCES WITHIN THE VILLAGE OF PAYNTON.

The Council of the Village of Paynton in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

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

2. PURPOSE

2.1 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.

3. DEFINITIONS

In this Bylaw:

3.1 "*The Act*" means *The Municipalities Act*.

3.2 "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;

3.3 "Building" means a building within the meaning of *The Municipalities Act*;

3.4 "Municipality" means the Village of Paynton;

3.5 "Council" means the Council of the Village of Paynton;

3.6 "Junked vehicle" means any automobile, tractor, truck, trailer or other vehicle that either

- a) has no valid license plates attached to it; or
- b) is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition; and

and is located on private land, but that:

- a) is not within a structure erected in accordance with any Bylaw respecting the erection of buildings and structures in force within the Municipality; and
- b) does not form a part of a business enterprise lawfully being operated on that land;

3.7 "Nuisance" means a condition of property, or a thing, or an activity, that adversely affects or may 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;

and includes:

- a) a building in a ruinous or dilapidated state of repair;
- b) an unoccupied building that is damaged and is an imminent danger to public safety;
- c) land that is overgrown with grass and weeds;
- d) untidy and unsightly property;

7.1 The administration and enforcement of this Bylaw is hereby delegated to the Administrator for the Village of Paynton.

7.2 The Administrator of the Village of Paynton is hereby authorized to further delegate the administration and enforcement of this Bylaw to the Mayor, Deputy Mayor or Assistant Administrator.

8. INSPECTIONS

8.1 The inspection of property by the Municipality to determine if this Bylaw is being complied with is hereby authorized.

8.2 Inspections under this Bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.

8.3 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.

9. ORDERS, NOTICES & APPEALS

9.1 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.

9.2 Orders given under this Bylaw shall comply with Section 364 of the *The Municipalities Act*.

9.3 Orders given under Bylaw shall be served in accordance with Section 390(10(a),(b) or (c) of *The Municipalities Act*.

9.4 If an order is issued pursuant to section 9.1, 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.

9.5 A person may appeal an order made pursuant to section 9.1 in accordance with Section 365 of *The Municipalities Act*.

10. MUNICIPALITY REMEDYING CONTRAVENTIONS

10.1 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.

10.2 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*.

11. RECOVERY OF UNPAID EXPENSES AND COSTS

11.1 Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this Bylaw may be recovered either:

11.1.1. By civil action for debt in a court of competent jurisdiction in accordance with Section 368 of *The Municipalities Act*; or

11.1.2. 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*.

12. OFFENCES AND PENALTIES

12.1 No person shall: