

Village Of Donnelly
By-Law No.14-10

A BYLAW OF THE VILLAGE OF DONNELLY TO PROVIDE FOR THE
PREVENTION, ABATEMENT AND REGULATIONS OF NUISANCES AND
UNSLIGHTLY OR UNTIDY PREMISES.

WHEREAS Section 157 of The Municipal Government Act provides that Council may pass bylaws for preventing and compelling the abatement of nuisances generally, and regulating untidy and unsightly premises; and

WHEREAS Section 157 of the Municipal Government Act further provides that in any bylaw passed under said section, Council may make any provisions that it considers necessary to carry out the purpose of the bylaw: and

WHEREAS the Council of the Village Of Donnelly deems it expedient and in the public interest to pass such a bylaw:

NOW THEREFORE the Council of the Village Of Donnelly duly assembled hereby enacts as follows

1. No person being the owner, agent, lessee or occupier of any land or premises within the Village shall permit the land of premises of which such is the owner, agent, or occupier to be or remain a nuisance or to be or remain untidy or unsightly.
2. The owner agent, lessee or occupier of all public or private property within the Village is responsible for:
 - A) The eradication of any excessive concentration of dandelions or noxious weeds and for cutting of grass upon any property so owned, leases or occupied,
 - B) The removal or pruning of trees or shrubs thereon, that in any way interferes with or endangers power lines, poles, conduits, pipes, culverts, sewers or other work of a municipal or other public utility and public safety.
3. No person shall dump or cause to be dumped any rubbish, garbage, waste, either solid or liquid, petroleum products industrial or commercial waste products or by-products or to dispose of any material whatsoever in, near or upon any creek, ditch, pond, or any other area within the Village except at such place or places specifically designated by the Council and in such manner as be from time to time prescribed.
4. All existing gas, electrical, water, steam or other services to the site of an unoccupied building, structure, erection or excavation shall be shut off and capped at the property line and no unused open ends in waste or vent pipes or any plugs, caps or cleanouts properly closed by plugs, caps or cleanouts properly screwed, caulked or soldered into place.
5. Any authorized officer of Council is hereby authorized to enter any lands, buildings or premises within the Village Of Donnelly to inspect for conditions that may constitute a nuisance or contravene or fail to comply with the provisions of this bylaw.
6. When, in the opinion of the officer set forth in Section 5 of this Bylaw, a conditions exists which is in contravention of any of the provisions of this bylaw, the officer may issue a warning notice via mail or phone call to the owner, agent, lessee or occupier of the land premises in question advising of the condition and directing the condition be rectified within Fourteen (14) days.
7. If the owner, agent, lessee or occupier fails, neglects, or refuses to remedy and conditions of his land or premises that does not comply with the provisions of this by-law within the time period as set forth in the notice issued pursuant to Section 6 of this bylaw the officer may issue and offence ticket via mail or in person and direct that the conditions be rectified within seven (7) days.

8. If the owner, agent, lessee or occupier fails, neglects or refuses to remedy any condition of there land or premises that does no comply with the provisions of this bylaw within the time period as set forth in the offence ticket, or tag issued pursuant to Section 7 of this bylaw, the Council may, by resolution, cause such work to be done as it considers necessary to remedy the condition.

9. Any person who enters property to remedy any condition as directed by Council shall be deemed to have the authorization directed by Council and shall not incur any liability therefore.

10. Where Council has caused the condition to be remedied pursuant to Section 8 of this bylaw, Council may charge the costs of the work done to remedy the condition to the owner, agent, lessee, or occupier concerned and in default of payment may:

A) Recover the same as a debt due to the Village, or

B) Charge the same against the land concerned as taxes due and owing in respect of that land and recover the same as such.

11. The offence ticket penalty for an offence ticket issues pursuant to section 7 of this bylaw shall be as follows in Schedule "A".

12. The forwarding by mail of any notice or offence ticket or tag shall be deemed to be service of said notice or offence or tag.

13. This Bylaw shall take effect upon the final day of passing thereof and Bylaw 201 shall be repealed.


READ a first time this 28th day of October 2014.

READ a second time this 28th day of October 2014.

PRESENTED a third time this 28th day of October 2014.

READ a third time and finally passed this 28th day of October 2014.


Mayor


Administrator

SCHEDULE "A"

\$100.00- First Offence

\$200.00- Second Offence

\$300.00- Third Offence

\$500.00- Fourth Offence

\$1,000- Each subsequent offence after fourth offence

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