



Town of Blaine Lake
Bylaw #11/2022

Nuisance Abatement Bylaw

A Bylaw of the Town of Blaine Lake in the Province of Saskatchewan being a Bylaw to Nuisance Abatement Bylaws.

The Council of the Town of Blaine Lake in the Province of Saskatchewan in open meeting hereby enacts as follows:

1. Purpose

- a. The purpose of this Bylaw is to establish standards for the maintenance and occupancy of property, to ensure that such standards be maintained, and to provide for the abatement of nuisances, including property, activities, or things that adversely affect:
- i. The safety, health or welfare of people in the neighborhood;
 - ii. People's use and enjoyment of their property; or
 - iii. The amenity of a neighborhood.

2. Definitions 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 the Bylaw;
- b. "Building" means a building within the meaning of *The Municipalities Act*;
- c. "Municipality" means The Town of Blaine Lake;
- d. "Council" means the Council of the Town of Blaine Lake;
- e. "Junked vehicle" means any automobile, tractor, truck, trailer or other power vehicle that:
- i. Either:
 1. Has no valid license plate 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 of may adversely affect:
- i. The safety, health or welfare of people in the neighborhood;
 - ii. People's use and enjoyment of their property; or
 - iii. The amenity of a neighborhood and includes:
 1. A building in a ruinous or dilapidated state of repair;
 2. An unoccupied building that is damaged and is an imminent danger to public safety;
 3. Land that is overgrown with grass and weeds;
 4. Untidy and unsightly property;
 5. Junked vehicles; and
 6. Open excavations on property.
- g. "occupant" means an occupant as defined in *The Municipalities Act*
- h. "owner" means an owner as defined in *The Municipalities Act*
- i. "property" means land or buildings or both;

A handwritten signature in black ink, appearing to be the initials 'AB'.

Nuisance Abatement Bylaw #11/22 – Town of Blaine Lake

- j. “structure” means anything erected or constructed, the use of which requires temporary or permanent location on, or support of the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.
- 3. Responsibility
 - a. Unless otherwise specified, the owner of a property, including land, buildings and structures, shall be responsible for carrying out the provisions of this Bylaw.
- 4. Nuisances [Prohibited Generally
 - a. No person shall cause or permit a nuisance to occur on any property owned by that person.
- 5. Dilapidated Buildings
 - a. Notwithstanding the generality of Section 4, no person shall cause or permit a building or structure to deteriorate into a ruinous or dilapidated state such that the building or structure:
 - i. Is dangerous to the public health or safety;
 - ii. Substantially depreciates the value of other land or improvements in the neighborhood; or
 - iii. Is substantially detrimental to the amenities of the neighborhood.
- 6. Unoccupied Buildings
 - a. Notwithstanding the generality of Section 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, or substantially depreciates the value of other land or buildings in the neighborhood.
- 7. Overgrown Grass and Weeds
 - a. Notwithstanding the generality of Section 4, no owner or occupant of land shall cause or permit the land to be overgrown with grass or weeds.
 - b. For the purpose of this section, “overgrown” means in excess of 20 centimeters in height.
 - c. This section 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.
 - d. No owner or occupant of land shall cause or permit any adjoining boulevards or lands to be overgrown with grass or weeds.
 - e. After having been served with an order respecting property overgrown with grass and weeds under this section, no person shall permit or allow lands described in that order to become overgrown with grass and weeds again.
- 8. Untidy and Unsightly Property
 - a. Notwithstanding the generality of Section 4, no person shall cause or permit any land or buildings to become untidy and unsightly due to the accumulation of new or used lumber, cardboard, paper, newspapers, appliances, tires, cans, barrels, scrap metal or other waste materials or junk.
 - b. After having been served with an order respecting untidy or unsightly property under this section, no person shall permit or allow lands described in that order to become untidy or unsightly again.
 - c. No owner of land shall cause or permit any adjoining boulevards or lanes to become untidy and unsightly due to the accumulation of new or used lumber, cardboard, paper, newspapers, appliances, tires, cans, barrels, scrap metal or other waste materials or junk.
- 9. Junked Vehicles
 - a. Notwithstanding the generality of Section 4, no person shall cause or permit more than one junked vehicle to be kept on any land owned by that person.



Nuisance Abatement Bylaw #11/22 – Town of Blaine Lake

- b. After having been served with an order respecting junked vehicles under this section, no person shall permit or allow lands described in that order to store junked vehicles again, unless they comply with Section 9.1 of this Bylaw
 - c. Notwithstanding Section 9.1, a junked vehicle must be inside an approved structure or securely covered with a canvas vehicle tarp, approved by the Town of Blaine Lake, at all times unless the vehicle is actively being worked on.
10. Open Excavations
- a. Notwithstanding the generality of Section 4, 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. Pet Wastes
- a. Pet wastes shall be promptly removed from properties, and disposed of in an acceptable manner.
 - b. Pet wastes shall not be allowed to accumulate in an unreasonable manner.
12. Maintenance of Yards
- a. Notwithstanding the generality of Section 4, no person shall cause or permit on any property owned by that person:
 - i. An infestation of rodents, vermin or insects;
 - ii. Any dead or hazardous trees;
 - iii. Any sharp or dangerous objects.
 - b. A yard shall be graded in such a manner so as to prevent:
 - i. Excessive ponding of water; and
 - ii. Excessive dampness accumulating near buildings.
13. Outdoor storage of Materials
- a. 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 or insects.
 - b. Materials referred to in section 12.b shall be elevated at least 0.15 meters off the ground and shall be stacked at least 3.0 meters from the exterior walls of any building and at least 1.0 meter from the property line.
14. Refrigerators and Freezers
- a. Any refrigerator or freezer left in a yard shall either have its hinges, latches, lid, door or doors removed, or be securely locked at all times.
15. Fences
- a. Fences shall be maintained in a safe and reasonable state of repair.
16. Graffiti
- a. Notwithstanding the generality of Section 4, no person shall permit graffiti to remain on any buildings, accessory building, fence or on any other structure on property owned by that person
17. Enforcement of Bylaw
- a. The administration and enforcement of this Bylaw is hereby delegated to the CAO for the Town of Blaine Lake or their designate.
18. Inspections
- a. The inspection of property by the Municipality to determine if this Bylaw is complied with is hereby authorized.
 - b. Inspections under this Bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.
 - c. 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.
19. Order to Remedy Contraventions



Nuisance Abatement Bylaw #11/22 – Town of Blaine Lake

- a. 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;
 - b. Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.
 - c. Orders given under Bylaw shall be served in accordance with Section 390(1(a), (b) or (c) of *The Municipalities Act*
20. Registration of Notice of Order
- a. If an order is issued pursuant to Section 19.a. 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.
21. Appeal of Order to Remedy
- a. A person may appeal an order made pursuant to Section 19.a. in accordance with Section 365 of *The Municipalities Act*
22. Municipality Remediating Contraventions
- a. 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.
 - b. 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*.
23. Recovery of Unpaid Expenses and Costs
- a. Any unpaid expenses and costs incurred by the Municipality in remediating a contravention of this Bylaw may be recovered either:
 - i. By civil action for debt in a court of competent jurisdiction in accordance with Section 368 of *The Municipalities Act*; or\
 - ii. 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*.
24. Offences and Penalties
- a. No person shall:
 - i. Fail to comply with an order made pursuant to this Bylaw;
 - ii. Obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw; or
 - iii. Fail to comply with any other provision of this Bylaw.
 - b. Every person who contravenes any provision of Section 24.a is guilty of an offence and liable on summary conviction:
 - i. In the case of an individual, to a fine of not more than \$10,000.00
 - ii. In the case of a corporation, to a fine of not more than \$25,000.00; and
 - iii. In the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day
25. Coming Into force
- a. This Bylaw shall come into force on the day of its final passing.



Nuisance Abatement Bylaw #11/22 – Town of Blaine Lake

26. Bylaw #2/2006, Bylaw 8/2007 and Bylaw 7/2008 are hereby Repealed.

SEAL



Allen Sene
MAYOR

[Signature]
CAO

Read a first time on September 26, 2022
Read a second time on September 26, 2022
Read a third time and adopted on September 26, 2022