

THE RURAL MUNICIPALITY OF SPRINGFIELD

A By-law to regulate untidy and unsightly premises and to prevent and compel the abatement of nuisances generally.

The Rural Municipality of Springfield (the "Municipality"), in Council assembled, enacts as follows:

1. This by-law shall be known and may be cited as "The Unsightly Premises By-Law".
2. In this By-law
 - (a) "Person" means owner, agent, lessee or occupier of any land or premises within the Municipality;
 - (b) "Enforcement Officer" means any peace officer, inspector, or other officer or employee of The Municipality appointed under Section 164 of The Municipal Act and authorized to take action for enforcing the provisions of this by-law;
 - (c) "Untidy" means premises that are in a disorderly, slovenly, or littered condition or are not kept in generally good order;
 - (d) "Unsightly" means premises that are unpleasant to look at or are aesthetically objectionable.
3. No person shall:
 - (1) Permit the land, or, premises of which, such person is the owner, agent, lessee or occupier, to be or to remain untidy or unsightly;
 - (2) Permit the land, or, premises of which, such person is the owner, agent, lessee or occupier to be, or, to remain a nuisance;
 - (3) Permit any building, structure or erection of any kind whatsoever, or any excavation, depression, drain, ditch, watercourse, pond, surface water, refuse or other matter or thing upon any private land, street or road, or in or about any building or structure of which such person is the owner, agent, lessee or occupier, to be or remain untidy or unsightly or to be or to remain a nuisance and dangerous to public safety or health,
4.
 - (1) If the Enforcement Officer, upon due examination of the land and premises, is satisfied that the land and premises are untidy or unsightly or constitute a nuisance, he may issue notice, addressed to the owner, agent, lessee or occupier of the land and premises requiring the land and premises to be put into a condition satisfactory to the Enforcement Officer within a certain period of time.
 - (2) Any person receiving such notice may appeal same within fourteen (14) days of receiving the notice from the Enforcement Officer to the Council of The Municipality by writing to the Secretary-Treasurer of the Municipality.
 - (3) The Council shall then hear the appeal and make such order varying, cancelling, revoking or confirming the notice of the Enforcement Officer, as it deems proper, and, the order of the Council shall be final and binding.
5.
 - (1) If the Person receiving the notice does not comply with the notice within the period of time set by the Enforcement Officer and has not indicated his intention in writing to appeal within the period of time set out in Sub-section (2) of Section 4, or, upon an appeal hearing being held, does not comply with the order of the Council the Enforcement Officer may cause the lands and premises to be put into condition satisfactory to him or into the condition ordered by the Council.

(2) The cost of the work carried out under Sub-section (1) may be recovered by the Municipality by summary process of law, and shall be a lien upon the lot, or, parcel of land affected thereby, and the cost, when certified by the Enforcement Officer, may be added to the taxes on the land or buildings and be collected in the same manner as the ordinary municipal rates of the Municipality.

6. Any person who fails to comply with the notice of the Enforcement Officer or, after appeal, fails to comply with an order of the Council, or who contravenes or fails to comply with the provisions of this By-law is guilty of an offence and is liable, on summary conviction,


(1) if an individual, to a fine not exceeding One Thousand Dollars (\$1,000.00), to imprisonment for a term not exceeding six (6) months, or to both fine and imprisonment;

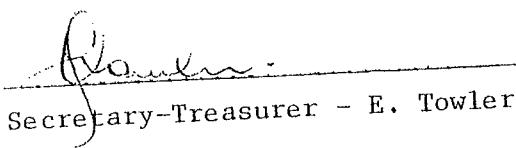
(2) if a corporation, to a fine not exceeding Ten Thousand Dollars (\$10,000.00).

7. Whenever the Council directs a person, whether he is an owner, agent, lessee or occupier, to do any matter or thing, then in default of it being done by that person, whether he is the owner, agent, lessee or occupier, or any or all of them, such person shall be liable to prosecution; and it shall be no defence for any owner, agent, lessee or occupier so prosecuted to allege that any other person is responsible for such default.

8. The Enforcement Officer is hereby authorized to enter any lands or premises to inspect for conditions that may be untidy or unsightly or constitute a nuisance or contravene or fail to comply with the provisions of this By-Law.

DONE AND PASSED, in Council assembled, this 11th day of March, A.D. 1986.


Reeve - J. Nicol


Secretary-Treasurer - E. Towler

Read a First time this 11th day of March, A.D. 1986.
Read a Second time this 11th day of March, A.D. 1986.
Read a Third time this 11th day of March, A.D. 1986.

Upon the affirmative vote of two-thirds of the whole Council suspending the requirements of Section 183(2) of the Municipal Act.