

**SUMMER VILLAGE OF SUNDANCE BEACH  
BYLAW P19**

**MINIMUM MAINTENANCE STANDARDS BYLAW**

**Whereas**, pursuant to section 66(2) of the *Safety Codes Act*, a municipality may make bylaws respecting, inter alia:

- a) minimum maintenance standards for buildings and structures; and

**Whereas**, pursuant to section 7 of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting, inter alia:

- a) the protection of people and property; and
- b) the enforcement of bylaws including the creation of offences:

The Summer Village of Sundance Beach Council enacts:

**PART I - PURPOSE, DEFINITIONS AND INTERPRETATION**

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|--------------------|---|--|
| <b>PURPOSE</b>     | 1 | The purpose of this bylaw is to establish minimum maintenance standards for buildings and other structures in order to promote the conservation of existing properties and communities.  |
| <b>DEFINITIONS</b> | 2 | In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"><li>(a) <b>“Village Administrator”</b> means the Summer Village of Sundance Beach;</li><li>(b) <b>“Village Administrator”</b> means the chief administrative officer of the Village Administrator or his delegate;</li><li>(c) <b>“Good Repair”</b> means a condition where something is free from:<ul style="list-style-type: none"><li>(i) damage;</li><li>(ii) rot or other deterioration; and</li><li>(iii) inappropriate infiltration of air, moisture or water;</li></ul></li><li>(d) <b>“Municipal Tag”</b> means a ticket alleging an offence issued pursuant to the authority of a bylaw of the Village Administrator;</li><li>(e) <b>“Owner”</b> means:<ul style="list-style-type: none"><li>(i) any person registered under the <i>Land Titles Act</i> as the owner of the fee simple estate in a parcel of land;</li><li>(ii) any agent of the person so registered; or</li><li>(iii) any person in actual or apparent possession or control of Property;</li></ul></li><li>(f) <b>“Property”</b> means a parcel of land and includes any buildings, whether occupied or not, and other Structures on the land;</li><li>(g) <b>“Subsequent Offence”</b> means any offence committed by a person after that person has already been convicted of an offence or has voluntarily paid a fine;</li><li>(h) <b>“Structure”</b> means any thing erected or placed in, on or over land, whether or not it is so affixed to the land as to</li></ul> |

become transferred without special mention by a transfer or sale of the land;

(i) **“Violation Ticket”** means a violation ticket as defined in the *Provincial Offences Procedure Act*.

**RULES FOR INTERPRETATION**

3 The marginal notes and headings in this bylaw are for reference purposes only.

**PART II - MAINTENANCE STANDARDS**

**BUILDINGS**

4 All buildings shall be maintained so the:  
(a) foundation and foundation walls;  
(b) exterior walls;  
(c) roof;  
(d) windows, including casings; and  
(e) doors, including frames;  
of each building are in Good Repair.

**MATERIALS**

5 All materials used in the construction of, or attached to, any building shall be maintained in Good Repair.

**EXTERIOR SURFACES**

6 The protective or decorative finishes of all exterior surfaces of a building or structure shall be maintained in Good Repair.

**EXTERIOR ATTACHMENTS**

7 All exterior stairs, landings, porches, balconies and decks shall be maintained in Good Repair.

**OTHER STRUCTURES**

8 All Structures not otherwise referred to in this bylaw shall be maintained in Good Repair.

9

**PART III - OFFENCES AND PENALTIES**

**OWNER RESPONSIBLE**

10 Every Owner of Property is responsible for the maintenance of buildings and structures on that Property in accordance with the standards contained in Part II.

**CONTRAVENTION**

11 A person who contravenes a provision of this bylaw is guilty of an offence.

**MINIMUM AND MAXIMUM FINES**

12 A person who is found guilty of an offence is liable to a fine in an amount not less than that established by this bylaw, and not exceeding \$5,000.00, and to imprisonment for not more than 90 days for non-payment of the fine.

**MUNICIPAL TAG**

13 If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence.

**VOLUNTARY TAG PAYMENT**

14 A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date the person will not be prosecuted for the offence.

**VIOLATION TICKET**

15 If a Violation Ticket is issued in respect of an offence the Violation Ticket may:

- (a) specify the fine amount established by this bylaw for the offence; or
- (b) require a person to appear in court without the alternative

**VOLUNTARY TICKET PAYMENT** 16 of making a voluntary payment.  
A person who commits an offence may:  
(a) if a Violation Ticket is issued in respect of the offence; and  
(b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence;  
make a voluntary payment equal to the specified fine.

**SPECIFIED FINE** 17 The specified fine for an offence committed pursuant to this bylaw is established at:  
(a) \$500.00; or  
(b) \$1,500.00 for a Subsequent Offence.

**PART IV - GENERAL**

**CONTINUING OFFENCE** 18 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day on which it continues.

**INSPECTIONS** 19 The Village Administrator may carry out whatever inspections are reasonably required to determine compliance with this bylaw.

**DELEGATION** 20 The Village Administrator may delegate any of his powers, duties or functions under this bylaw to an employee of the Village Administrator.

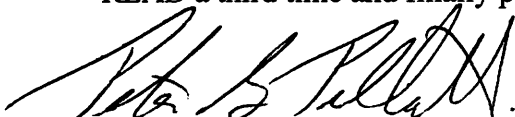
**COMMENCEMENT** 21 This bylaw comes into force on May 1, 2010


READ a first time this 25<sup>th</sup> day of May, A.D. 2010

READ a second time this 25<sup>th</sup> day of May, A.D. 2010

MOVED by Mayor Pellatt to give consideration to third reading

READ a third time and finally passed this 25<sup>th</sup> day of May, A.D. 2010

  
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Mayor

  
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Municipal Administrator