

BYLAW 698/11
TOWN OF ELK POINT #043

A BY-LAW OF THE MUNICIPALITY OF THE TOWN OF ELK POINT IN THE PROVINCE OF ALBERTA, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH A BYLAW TO REGULATE DANGEROUS, UNTIDY, UNSIGHTLY AND PROPERTY IN DISREPAIR IN THE TOWN OF ELK POINT.

PURSUANT to the provisions of Section 545 through 556 of the Municipal Government Act being Chapter M-26.1 R.S.A. 1994 with amendments thereto. Council may by bylaw regulate dangerous, untidy, unsightly and property in disrepair.

NOW THEREFORE the Council of the Town of Elk Point, in the Province of Alberta, in session duly assembled, enacts as follows:

1. SHORT TITLE:

This bylaw shall be cited as the "Unsightly Property Bylaw".

2. DEFINITIONS:

a) In this bylaw;

"Town Manager" means the Officer designated for the Town of Elk Point or his/her duly authorized assistants.

"Bylaw Enforcement Officer" means the Bylaw Enforcement Officer for the Town of Elk Point or his/her duly authorized assistants.

"Council" means the duly elected Council for the Town of Elk Point.

"Owners" means the owner, lessee or occupier of any property within the Town of Elk Point.

"Town" means the Town of Elk Point, in the Province of Alberta.


"Unsightly and Untidy" means any property as deemed by the Bylaw Officer, Town Manager, or Council to be unsightly and untidy.

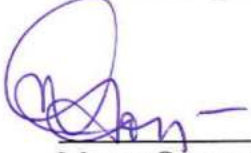
3. No person being the owner of any property within the Town shall permit the property to be or remain in an unsightly, untidy and/or in a condition of disrepair.
4. The Town Manager and/or the Bylaw Enforcement Officer are hereby authorized to enter any property to inspect for conditions which they have reason to believe may contravene or fail to comply with any of the provisions above.
5. All owners are required to cut the grass on any boulevard, lane or alley which abuts, flanks or adjoins the property occupied by him/her.
6. All owners shall be required to control dandelions and noxious weeds and to cut the grass on the property they own or occupy.
7. All owners shall prune, remove or otherwise maintain trees and shrubs that interfere with or encroach on or over public sidewalks and alleys, endangering lines, poles, pipes, sewers or other works of the municipality or public utility.
8. No owner shall permit the accumulation or dirt, stones, scrap iron or any other rubbish so as to cause any unsightly condition, hazard or nuisance.
9. No owner shall keep or permit, in any part of any yard, in any residential district, any dismantled, wrecked, or unregistered vehicle for more than fourteen (14) consecutive days.




10. When the opinion of the Town Manager or Bylaw Enforcement Officer a condition exists which contravenes any of the provisions of this bylaw the Officer shall:
 - a) Issue a warning notice to the owner of the property in question advising of the condition and directing that the condition be rectified within two (2) days of the date of the warning notice.
11. Any owner who receives a warning notice and who thinks they are aggrieved may appeal prior to the warning notice expiration date to the Town Council.
12. Should any property owner neglect or refuse to remedy the condition as directed by the Warning Notice, the Town shall cause the work to be performed to remedy to the condition and charge the costs of such work to the owner, plus a fine of two hundred dollars (\$200.00) for the first offence, and five hundred dollars (\$500.00) for a second offence, plus cost of clean up.
13. Any person who enters the property to remedy a condition as directed by Council, shall be deemed to have the authorization of Council and shall not incur any liability therefore.
14. Bylaw 695/11 is hereby rescinded.
15. This Bylaw shall take effect on the date of final reading thereof.


READ a FIRST time in Council this 22nd day of August, A.D. 2011.


Parrish Tung, Mayor



Myron Goyan, Town Manager


READ a SECOND time in Council this 22nd day of August, A.D., 2011.


Parrish Tung, Mayor


Myron Goyan, Town Manager

READ a THIRD time and FINALLY PASSED by a majority of those present this 22nd day of August, A.D., 2011.


Parrish Tung, Mayor


Myron Goyan, Town Manager