

SUMMER VILLAGE OF ROCHON SANDS
BY-LAW NO. 206 10

BEING A BYLAW TO PREVENT AND COMPEL THE ABATEMENT OF NUISANCES
GENERALLY, REGULATING UNSIGHTLY AND UNTIDY PREMISES

WHEREAS, under section 7(c) of the Municipal Government Act, a Council of a Municipality may pass Bylaws for municipal purposes respecting nuisances, including unsightly property;

NOW THEREFORE, the Council for the Summer Village of Rochon Sands in the Province of Alberta, duly assembled, enact as follows:

1. This Bylaw may be called the "Nuisance Bylaw".
2. (1) "Nuisance" for the purpose of this Bylaw means any use of or activity upon any property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following:
 - (a) the failure to cut grass or weeds;
 - (b) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds which include but are not limited to dandelions;
 - (c) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk roadway clearance;
 - (d) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of 6 minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;
 - (e) the generation of excessive dust and permitting such dust to escape from the property;
 - (f) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
 - (g) the failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;
 - (h) the storage or accumulation of dilapidated vehicles or the storage of vehicles in excess of the number of vehicles permitted under the Land Use Bylaw;
 - (i) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, scrap metals, scrap lumber, tires, and motor vehicle parts;
 - (j) the failure to dispose of any rubbish or garbage accumulated upon any property.
 - (k) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition as permitted under the Land Use Bylaw.
3. No person being the owner, agent of the owner, lessee or occupier of any property within the Summer Village shall permit such property, or the activities upon such property to be or remain a nuisance.
4.
 1. The Council or their designate may, after giving reasonable notice to the owner or occupier of the premises, enter upon the said premises and carry out an inspection.
 2. Upon completion of the inspection, the Council or their designate may direct the owner or occupant of the property to:
 - (a) cease the activity which causes the nuisance;
 - (b) change the way in which such person is carrying out any activity;
 - (c) direct any person to take any action or measure necessary to compel the elimination or abatement of the nuisance, including the removal of any thing or matter from the property, which constitutes the nuisance;
 - (d) specify the time within which such person must comply with the

directions contained in the notice; and

(e) notify the owner or occupant that, if compliance with the notice is not effected within a specified time, the municipality will take the actions or measures specified in the notice to abate the nuisance, at the expense of the owner or occupier.

5. No person shall cause or permit or undertake any activity upon any Summer Village property which is a nuisance.
6.
 1. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Summer Village property, including any street, lane, sidewalk, parking lot, park, or other public facility or other public place or water course:
 - (a) a cardboard or wooden box, carton, container, or receptacle of any kind;
 - (b) a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;
 - (c) paper of any kind, whether or not containing written or printed matter thereon;
 - (d) any human, animal or vegetable matter or waste;
 - (e) any glass, crockery, nails, tacks, barbed-wire or other breakable or sharp objects;
 - (f) scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts there from;
 - (g) any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;
 - (h) dirt, filth or rubbish of any kind whether similar or dissimilar to the foregoing.
 2. A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in subsection (1) upon any street, lane, sidewalk, parking place, park or other public place or water course shall forthwith remove it.
7. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into any motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority.
8. The Council or their designate may authorize any Summer Village employee, or other person, to remove and put in storage or destroy anything placed upon Summer Village property in contravention of Section 5 and 6 of this Bylaw.

OFFENCES AND PENALTIES

9. (a) Any person who contravenes or fails to comply with the provisions of this Bylaw is guilty of an offence and shall be liable upon conviction to a specified penalty of \$500.00, unless otherwise provided for in section 9(b).
(b) Any person who contravenes or fails to comply with the provisions of this Bylaw respecting public facilities (section 6) is guilty of an offence and shall be liable upon conviction to a specified penalty of \$50.00.
10. Where the Council or their designate has reasonable grounds to believe that a person has contravened any provisions of this Bylaw, may serve upon such person an offence ticket allowing payment of the specified penalty to the Summer Village, which payment shall be accepted by the Summer Village in lieu of prosecution for the offence.

11. This Bylaw comes into full force and effect upon receiving third reading. Bylaw #76 is hereby rescinded.

READ a first time this 5th day of June, 2010.

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READ a second time this 3rd day of July, 2010.

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READ a third time and finally passed this 3rd day of July, 2010.

Mayor

Administrator