

**VILLAGE OF VETERAN
BYLAW 555-23
UNSIGHTLY PREMISES BYLAW**

BEING A BYLAW OF THE VILLAGE OF VETERAN IN THE PROVINCE OF ALBERTA, TO REGULATE NUISANCES, UNTIDY AND UNSIGHTLY PREMISES.

WHEREAS, under section 7 (c) of the Municipal Government Act of Alberta being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, the Council of the Village of Veteran may pass a bylaw for municipal purposes preventing nuisances, including unsightly property and the safety, health and welfare of people and the protection of people and property.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF VETERAN DULY ASSEMBLED ENACTS AS FOLLOWS:

1. TITLE:

1.1 This Bylaw may be cited as the “Unsightly Premises” Bylaw

2. DEFINITIONS:

- 1) **“Abandoned and/or Derelict Vehicle”** means the whole or any part of any Motor Vehicle or farm equipment that is unregistered or in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, or missing equipment necessary for its operation, making it inoperable.
- 2) **“Bylaw Enforcement Officer”** means to carry out the powers, duties and functions under the Municipal Government Act, Weed and Pest Control Act or any other Act and those powers, duties and functions assigned by the Chief Administrative Officer and appointed by the Village of Veteran Council.
- 3) **“Municipal Tag”** means a tag or similar document issued by the Village pursuant to the Municipal Government Act that alleges a bylaw offence and provided a person with the opportunity to pay an amount to the Village in lieu of prosecution for the offence.
- 4) **“Occupant”** means any person residing on or to be in apparent possession or control of property or a structure, including but not limited to a lessee.
- 5) **“Order”** means an Order as described in Section 545 or 546 of the Municipal Government Act, as applicable.
- 6) **“Owner”** means in the case of land, to be the registered owner under Land Titles Act as the owner of the fee simple estate in a parcel of land or in the case of personal property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it.
- 7) **“Recreation Vehicle”** includes, but not limited to any trailer, watercraft, off-road vehicle, motor home, travel trailer, tent trailer, fifth wheel, camper when not mounted on a truck but placed on the ground or stand, or any similar vehicle, regardless of whether it is capable of being transported, driver or drawn on a highway.
- 8) **“Reasonable State of Repair”** means structurally sound, and free from damage, rot or other deterioration and safe for its intended use.
- 9) **“Violation Ticket”** means a ticket issued pursuant to the Provincial Offences Procedures Act, RSA 2000.
- 10) **“Nuisance”** for the purpose of this bylaw includes any use of or activity upon

any property which is offensive to any person, or destructive or harmful or has or may have a detrimental impact upon any person or other property in the neighbourhood, or anything troublesome or bothersome to other people for which complaints are received, and without limiting the generality of the foregoing, includes the following:

3. Grass, Weeds, Trees & Shrubs

- 1) The failure to cut grass, dandelions or weeds in excess of 7 inches; and
- 2) The failure to maintain shrubs, trees or other vegetation that interferes with civic works, or any public utilities and shall include the obstruction of a sidewalk, alley or roadway or any other land owned or maintained by the Village; and
- 3) Failure to maintain the grass on the boulevard adjacent to the property; and
- 4) The failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds; and
- 5) The use of any pesticide or herbicide which is not available to the general public and has significant detrimental or environmental effects on surrounding areas.

4. Control of Litter, Debris, Trash & Garbage

- 1) The failure to remove from the property the accumulation of any material that creates unpleasant odours, or any material that attracts or harbours vermin or pests; and
- 2) The storage or accumulation of or failure to dispose of discarded furniture and fixtures, including but not limited to tables, mattresses, water heating tanks, stoves, furnaces, fences, gates, broken household dishes and utensils and other discarded fixtures, household appliances, loose garbage, rubbish, ashes, all forms of grass, tree, shrub and hedge clippings, empty or partly empty tins, bottles, containers, boxes, cartons, packaging material, discarded paper and fabric, scrap metals, scrap lumber, construction related garbage, large boxes and crates, oil drums and similar unwieldy materials, discarded tires, parts of disassembled machinery, equipment or appliances and motor vehicle parts.

5. Animal Debris/Pests

- 1) No person shall allow their pet (cat/dog) to defecate on public or private property that is not their own. A person who has allowed their cat or dog to defecate on property other than their own shall forthwith remove it; and
- 2) No person shall allow an accumulation of animal or human excrement, sewage, whole or a part of an animal carcass or any animal remains; and
- 3) The failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life.

6. Structures/Abandoned Buildings

- 1) The failure to keep a property in a reasonable state of repair, including but not limited to broken or missing windows, doors, stairs, landings, balconies, patios, fences, siding, shingles or other building materials; and
- 2) Any structure, erection of a structure that is unsightly or has become ruinous or dilapidated; and

- 3) Any structure, excavation or hole that is unsafe, unprotected or dangerous to public health or a safety hazard; and
- 4) Any materials or other hazard or condition that poses a danger to public health or a safety hazard.

7. Accessory Buildings & Fences

- 1) The failure to maintain an accessory building, structure or fence such that it deteriorates, becomes unsightly or becomes a safety hazard.

8. Motor Vehicles including Recreational Vehicles

- 1) Residential properties may only have one (1) unregistered or dilapidated vehicle on the property; and
- 2) No person shall park any recreational vehicle, attached or unattached trailer or holiday trailer on any portion of their front yard, except on an approved driveway or parking pad, or on a roadway except for the purpose of loading and unloading for a period not exceeding 1 week or 168 hours; and
- 3) No person shall park any recreational vehicle so as to encroach on to a sidewalk, curb or roadway; and
- 4) No person shall park a recreational vehicle on the roadway after November 1st.

9. Repair of Motor Vehicles/Salvage Yards

- 1) A person may conduct repair work on motor vehicles, including repairs, auto body work, frame repair, collision repair, auto painting, auto detailing or modifications to the body or rebuilding of a motor vehicle, on any site in a residential district provided that;
 - a) The activity does not create a nuisance or noise complaints from neighbourhood;
 - b) There is no escape of offensive, annoying or noxious odours, fumes or smoke from the site;
 - c) Vehicle fluids oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm sewers;
 - d) All discarded vehicle parts and materials are properly stored and disposed of from the site;
 - e) No power washing of motor or power train is performed on the site;
 - f) All building and fire code regulations are met.
- 2) All outdoor salvage yards, auto wreckers, or other business which by their nature appear untidy, shall be obscured by approved screening from surrounding properties.
- 3) The Council, or the CAO, shall have the authority to direct the owner of any property that is in contravention of this Bylaw to:

- a) Erect a minimum six foot high fence around the property as set out in an order directed by Council as per the current Land Use Bylaw guidelines;
- b) Clear and improve that property as the Council may direct.

10. Inspections & Enforcement

- 1) For the purpose of enforcement under this bylaw, a Bylaw Enforcement Officer is a Designated Officer.
- 2) Before conducting an inspection or enforcement under Section 9.1, a designated officer shall provide the owner or occupant of the property with reasonable notice as required by the Municipal Government Act;
- 3) A designated officer may enter any property in the Village, in accordance with Section 542 of the Municipal Government Act, after reasonable notice has been given, in order to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the or any other statute.
- 4) Where contravention of this Bylaw has occurred or is occurring, a Designated Officer may direct the owner or occupant of the property upon which a nuisance or unsightly or untidy condition exists as follows:
 - a) Issue a verbal or written warning to remedy the problem;
 - b) Issue a violation tag specifying a voluntary penalty to be paid;
 - c) Issue a violation ticket specifying a voluntary penalty to be paid;
 - d) Issue a violation ticket directing that the owner or occupant appear before a Provincial Court Judge;
 - e) Issue an Order under Section 545 or 546 of the MGA to remedy the nuisance or unsightly property;
 - f) Any combination of the above.
- 7) If the person to whom the order is directed does not satisfactorily comply with the directions of the order as specified by the Designated Officer or, in the event of a review, as specified by Council:
 - a) A Designated Officer may enter into a process to enforce the terms of the order in accordance with provisions to the MGA;
 - b) The expenses incurred to process and execute an order constitute a debt owed to the Village from the person to whom the order is directed.
 - c) The CAO shall send a demand for payment of these expenses by regular mail to the person to whom the order was directed.
 - d) If the person to whom the order was directed fails to pay, the expenses incurred by the Village will become an amount owing to the Village and may be added to the tax roll pursuant to the MGA.

11. Violations

- 1) A municipal tag shall be deemed to be sufficiently served:
 - a) If served personally on the accused, or

- b) If mailed to the address of the registered owner of the vehicle concerned, or the person concerned, or,
 - c) If attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.
- 2) A violation ticket will be issued in those cases where a municipal tag has been issued and the penalties specified on the municipal tag have not been paid within the prescribed time. Then a Designated Officer is hereby authorized and empowered to issue a Violation Ticket, pursuant the Provincial Offense Procedure Act, R.S.A. 2000, c.P-34 as amended.
 - 3) Notwithstanding Section 10.2 of this Bylaw, a Designated Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any person whom the Designated Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
 - 4) The levying and payment of any fines shall not relieve a person from the necessity of remedying the situation that created the violation of any section of this bylaw.

12. Penalties

Any person who contravenes any provision of any section of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a penalty set out in “Schedule A”.

13. Severability

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

14. Repeal

Bylaw #505-11 and any amendments are hereby repealed.

Read a first time this 23rd day of May, 2023.

Read a second time this 23rd day of May, 2023.

Read a third and final time this 23rd day of May, 2023.

Mayor

CAO

Schedule "A"

Fines & Penalties

Any person that breaches a provision of the Village of Veteran Unsightly Premises Bylaw or an Order made thereunder may be subject to a fine of:

1. First Offence \$100
2. Second Offence \$250
3. Third Offence \$500 for any subsequent offences committed within twelve (12) months of the first offence.