

**RESORT VILLAGE OF KANNATA VALLEY
NUISANCE ABATEMENT BYLAW
BYLAW 70**

The Council of the Resort Village of Kannata Valley in the Province of Saskatchewan enacts the following articles and provisions:

PURPOSE

1. The **purpose** of this Bylaw is to establish administrative tools for the Council of the Resort Village of Kannata Valley with which to take remedial action where nuisances on one property adversely affects the amenity of a neighbourhood; the use and enjoyment by owners of neighboring property; or the safety, health or welfare of people in the municipality.

DEFINITION OF TERMS

2. The following definitions and the definitions contained in the Act apply to this Bylaw

Act	the Municipalities Act and amendments thereto
Administrator	the person appointed by council to perform defined administrative functions.
Administrative Authority (AA):	the Government of Canada and/or the Government of Saskatchewan.
Local Authority (LA):	the Council of the Resort Village of Kannata Valley
Municipality	the Resort Village of Kannata Valley
Council	the elected mayor and four elected councillors of the Resort Village of Kannata Valley
Owner	the person(s) or corporation listed as owner of private property in the municipality
Occupant	the person(s) using property in the municipality as owner or leaseholder
Ratepayer	the owner(s) of property in the municipality
Resident	an occupant of property being used as a permanent residence
Seasonal Resident	an occupant of property being used as a seasonal or secondary residence
Residence	a property in the municipality being occupied by persons as a year round residence
Seasonal Residence	a property in the municipality being occupied by persons as secondary residence
Business	a commercial, merchandising, trade or occupation activity providing goods and services
Property	land or improvements or both
Private Property	property within the municipality owned by a private person(s) or corporation
Public Property	property that is owned by the municipality or an AA
Affected Parties	those members of the public who are uniquely affected by a matter under consideration
Designated Officer	a person to whom power and authority is designated by council
Notice	notice given to the general public in a manner described in this bylaw
Public Notice Board (PNB)	a structure on public land in the municipality used to display information for public viewing
Structure	anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.
Building	any structure intended for sheltering any use or occupancy.
Nuisance	a condition of property, or a thing, or an activity, that adversely affects or may adversely affect: the safety, health or welfare of people in the neighborhood; people's use and enjoyment of their property; or the amenity of a neighborhood and includes: a building in a ruinous or dilapidated state of repair; an unoccupied building that is damaged and is an imminent danger to public safety; land that is overgrown with grass and weeds; untidy and unsightly property; junked vehicles; and open excavations on property;

GENERAL CONDITIONS

3. An owner or occupant shall be **responsible to assure that those who use his/her property** comply with the provisions of municipal bylaws, do not interfere with the use and enjoyment of neighboring property owners, and do not endanger the safety, health or welfare of people in the Municipality.
4. An owner or occupant of a building(s) within the municipality shall not cause or permit a **building or structure to deteriorate** into a ruinous or dilapidated state of repair such that the building or structure is dangerous to the public health or safety, substantially depreciates the value of other land or improvements in the neighbourhood, or is substantially detrimental to the amenities of the neighbourhood.

5. An owner or occupant of land shall not cause or permit the land to be **overgrown with grass or weeds**. For the purposes of this section, "overgrown" means in excess of 0.20 metres in height. Note: This section shall not apply to any growth which forms part of a natural garden that has been deliberately planted to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.
6. An owner or occupant shall not cause or permit "**junked vehicles**" to be located or stored on private land exposed to public view and not within a structure erected in accordance with any Bylaw. Any automobile, truck, tractor, watercraft, trailer or other vehicle without a valid vehicle registration or license plate attached to it that is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition shall be considered a junked vehicle.
7. Junked vehicles may not be parked or stored on public land or on any public road or road allowance.
8. An owner or occupant shall not cause or permit any **basement, excavation, drain, ditch, watercourse, pond, surface water, swimming pool** or other structure to exist in or on any private land or in or about any building or structure which may compromise public safety or health.
9. An owner or occupant shall not cause or permit an **infestation of rodents, vermin or insects**, dead or infected trees or sharp and dangerous objects on any private property in the municipality.
10. Building **materials**, lumber, scrap metal, boxes or similar items stored in a yard shall be neatly stacked in piles and elevated at least 0.15 metres off the ground and shall be stacked at least 3.0 metres from the exterior walls of any building and at least 1.0 metre from the property line so as not to constitute a nuisance or harborage for rodents, vermin and insects.
11. **Refrigerator** or freezer in a yard shall be locked or have hinges, latches, or doors removed and the refrigerant evacuated.
12. **Fences** shall be maintained in a safe and reasonable state of repair.

PENALTIES

13. A person who, after having been given an official Notice of Violation again contravenes any of the provisions of this bylaw or fails to comply with any notice or order given there under is guilty of an offence and liable to an action in accordance with the provisions of the municipal Penalty Bylaw

SEVERABILITY

14. A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw

EFFECTIVE DATE

15. This bylaw comes into force and takes effect immediately after having received third reading.

Resolution R16/06, first reading of Bylaw 70, "CARRIED" at the March 22, 2006 regular council meeting
 Resolution R17/06, second reading of Bylaw 70 "CARRIED" at the March 22, 2006 regular council meeting.
 Resolution R54/06, third reading of Bylaw 70 "CARRIED" at the April 17, 2006 regular council meeting.

.....
 Mayor: Bob Gordon

Seal

.....
 Administrator: Arnold Flegel