

**VILLAGE OF CHAUVIN  
NUISANCE & UNSIGHTLY PROPERTY  
BYLAW # 2019-05**

A BYLAW OF THE VILLAGE OF CHAUVIN IN THE PROVINCE OF ALBERTA TO ESTABLISH STANDARDS FOR WHICH A PROPERTY IS CONSIDERED A NUISANCE OR UNSIGHTLY AND TO DEFINE THE VILLAGE OF CHAUVIN'S RESPONSIBILITIES, POWERS, AND FUNCTION AS PERTAINS TO REMEDYING NUISANCE AND UNSIGHTLY PROPERTIES.

**WHEREAS** the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, s.7, and amendments thereto, authorizes Council to pass bylaws for municipal purposes respecting:

- (A)The safety, health and welfare of people and the protection of people and property;
- (B)People, activities and things in, on or near a public place or place that is open to the public;
- and
- (C)Nuisances, including unsightly property;

**AND WHEREAS** the Village of Chauvin may, in accordance with s.546 of the Municipal Government Act, issue orders to remedy unsightly properties;

**THEREFORE**, the Council of the Village of Chauvin in the Province of Alberta duly assembled hereby enacts as follows:

**PART I: BYLAW TITLE**

1.1 This bylaw shall be known as the "Nuisance and Unsightly Property Bylaw."

**PART II: DEFINITIONS**

- 2.1 "Chief Administrative Officer" means the Chief Administrative Officer of the Village of Chauvin. A duly designated and empowered Bylaw Enforcement Officer may be substituted;
- 2.2 "Council" mean the elected officials of the Village of Chauvin;
- 2.3 "Village" means the municipal corporation of the Village of Chauvin in the Province of Alberta;
- 2.4 "Overgrown" means grass or weed growth in excess of fifteen (15) cm in height;
- 2.5 "Junked vehicle" means any automobile, tractor, truck, or trailer that is partly wrecked, partly dismantled, inoperative, or in an abandoned condition;
- 2.6 "Sea-Can" means a metal, self-contained storage building or structure, as is commonly understood;
- 2.7 "TCTS" means a Temporary Canvas Tent Structure;
- 2.8 "Owner" refers to the person registered as the owner of the property according under the Land Titles Act, R.S.A2000, c. L-4, or according to the Village Assessment Roll.

**PART III: MAINTENANCE STANDARDS**

- 3.1 The property shall be kept free and clean from garbage and refuse, which may include but is not limited to: used lumber, cardboard, paper, newspapers, appliances, furniture, tires, cans, barrels, scrap metal, and other waste materials.
- 3.2 A limit of one unlicensed vehicle is permitted per residential property.
- 3.3 No junked vehicle is permitted on residential or commercial properties. This standard may not apply if the junked vehicle is completely stored within a structure and is not visible.
- 3.4 A limit of four (4) tires is permitted per residential property, provided they are neatly stacked and are in a reusable condition.
- 3.5 Building supplies and metal are permitted if they are neatly stacked and are in a reusable condition. Building supplies and metal are to be elevated from the ground to prevent the harbouring of rodents, vermin, and insects.
- 3.6 Holes and excavations that may cause an accident and/or injury are to be filled in.
- 3.7 Dead or hazardous trees are to be cut down and removed.
- 3.8 The property Owner is responsible for ensuring their property is graded to prevent excessive pooling of water and dampness around buildings and structures.
- 3.9 The property Owner shall not cause nor permit their property to become overgrown with grass or weeds. This standard may 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 a combination of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.

3.10 Fences shall be maintained in a safe and reasonable state of repair and shall not exceed six (6) feet in height for side and rear yards and shall not exceed three (3) feet in front yards, except in the case of a corner lot, the side yard adjacent to the road or highway shall be deemed to be a front yard. No higher than three (3) feet within twenty (20) feet of the intersection of lanes, roads, or any combination of them.

3.11 Accessory buildings shall be kept in good repair and free of health, fire, and safety hazards.

3.12 Sea-Cans are not permitted on any residential property within the Village.

#### **PART IV: ENFORCEMENT**

4.1 A provision of the Bylaw may be applied at the discretion of the Bylaw Enforcement Officer. The Bylaw Enforcement Officer may then issue an Order to Remedy Contravention, Offence Ticket, or pursue Municipal Action, as relates to a contravention of this Bylaw.

4.2 No person shall interfere with the Chief Administrative Officer in the performance of their duties as relates to this Bylaw.

4.3 The Chief Administrative Officer shall provide the Owner reasonable notice, consisting of no less than fourteen (14) days, when exercising their authority to enter onto the property for inspection or enforcement.

4.4 In the event the property owner or occupier of the property fails to comply, a fine of \$250.00 will be charged to the property owners utility bill and will continue to be charged monthly until the property is no longer in violation of this bylaw.

#### **PART V: SEVERABILITY**

5.1 Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.

#### **PART VII: EFFECTIVE DATE**

6.1 This bylaw shall come into force upon receipt of its third and final reading.

6.2 This bylaw will replace previous bylaws and policies concerning nuisances and unsightly properties and will be considered as a replacement concerning current enforcement matters.

#### **PART VIII: READINGS**

7.1 Read a FIRST time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

7.2 Read a SECOND time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

7.3 Read a THIRD and FINAL time with UNANIMOUS consent this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_ Mayor

\_\_\_\_\_ Acting CAO