

## Bylaw # 1065

### **A Bylaw to provide for the control and abatement of untidy and unsightly premises.**

Whereas, pursuant to the Municipal Government Act, 2000 and amendments thereto, Council may, by Bylaw, regulate untidy and unsightly premises, nuisances, pests, and buildings dangerous to public safety;

And Whereas the Council of the Town of Grimshaw deems it proper and expedient to pass such a Bylaw;

Now therefore the Council of the Town of Grimshaw, in the Province of Alberta, in Council duly assembled enacts as follows:

1. This Bylaw may be cited as the **Community Standards Bylaw**.
2. **Definitions**
  - a) "Authorized Person" shall mean any person as authorized to act on behalf of the Council of the Town of Grimshaw.
  - b) "Bylaw Enforcement Officer" shall mean any person so authorized to act on behalf of the Council of the Town of Grimshaw.
  - c) "Council" shall mean the Council of the Town of Grimshaw.
  - d) "Derelict Motor Vehicle" means a motor vehicle that is inoperative by reason of removed wheels, battery, motor, transmission or other parts or equipment necessary for its operation, or in a state of disrepair or is unsightly by reason of missing doors, glass or body parts
  - e) "Pest" shall mean any animal, insect or pests and diseases deemed by the Council of the Town of Grimshaw to be dangerous, destructive or a nuisance to human life, plants, and/or animals and other property.
  - f) "Unsightly or Untidy" – any property as deemed by an Authorized Person or Council to be unsightly or untidy.
  - g) "Occupant" shall mean the owner or agent of the owner of lands and premises therein or on and shall include a corporation, lessee, or tenant
  - h) "real property" shall mean a parcel of land, an improvement, or a parcel of land and any improvements attached to the land.
3. **Regulations:**
  - a) All occupants shall be required to cut the grass on any boulevard, which abuts, flanks or adjoins the property occupied by him/her. This includes lanes or alleys at the rear of the premises or property. (see schedule A)
  - b) All occupants shall be responsible for the eradication of any excessive concentration of dandelions or noxious weeds and for cutting of grass upon any property so owned, leased or occupied.
  - c) All occupants shall prune, remove or otherwise maintain trees and shrubs on their own property that interfere with or endanger utility lines, poles, sidewalks, pipes, sewers or other related works on their own real property.
  - d) All occupants shall remove from their real property any dead grass or brush or rubbish which may be untidy or unsightly or may harbor vermin or pests therein
  - e) All occupants shall ensure that clippings from lawns, shrubs and trees are gathered in bundles, boxes or bags and placed beside the waste receptacle for garbage pickup (as per Town of Grimshaw Bylaw #1030). Clippings shall not be deposited loose in alleys or elsewhere within the Town.
  - f) No person shall permit the accumulation of dirt, stones, appliances, furniture, old implements, automobiles, scrap iron or any rubbish so as to cause an unsightly condition, hazard or nuisance.

- g) No person shall permit the proliferation of, or harbor, any insect, animal, or other pest that is likely to spread disease, be destructive or dangerous, or otherwise become a nuisance.
- h) No owner shall cause, allow or permit a building structure, erection, excavation or hole on his real property land to become ruinous, dilapidated, unsafe, unprotected or dangerous to public safety or health.
- i) No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any street, lane, sidewalk, parking lot, park or other public place
  - 1. a cardboard or wooden box, carton, container or receptacle of any kind,
  - 2. a paper, wrapper, envelope, or covering of any kind whether paper or not,
  - 3. paper of any kind, whether or not containing written or printed matter thereon,
  - 4. any animal or vegetable matter or waste
  - 5. any glass, crockery, nails;
  - 6. any wires or electrical cords
  - 7. scrap metal, scrap lumber, discarded tires, dismantled, wrecked or derelict motor vehicles or parts there from;
  - 8. rubbish or any kind whether similar or dissimilar to the foregoing.
- j) No person shall by doing, or failing to do, any act, deed, thing, or action, to create a nuisance
- k) No owner or occupier of real property shall permit or cause that property to become or remain unsightly
- l) No owner or occupier of real property, or their agents, shall fail to clear such property of brush, trees, noxious weeds, or other growths when directed to do so by the Town of Grimshaw
- m) No person shall post, exhibit, or distribute placards, posters, advertisements, writings or pictures or write words, or make pictures or drawings which are indecent, or may tend to corrupt or demoralize, on walls or fences or elsewhere, or adjacent to any highway, or other public place
- n) In relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia,
  - 1. require the owners or occupiers or real property, or their agents, to eliminate or reduce the fouling or contaminating of atmosphere through those emissions,
  - 2. prescribe measures and precautions to be taken for the purpose of subparagraph 1.)
  - 3. establish limits not to be exceeded for those emissions
- o) The Town of Grimshaw may order the removal, cutting down, or trimming of any trees, shrubs, hedges, or bushes growing or standing on land adjacent to a road which the Council believes are dangerous, or where the Council believes the safety or convenience of the public so requires, or where the trees, shrubs, hedges, or bushes become injurious to the road, sidewalk or works, at the expense of the owners or occupiers of the land on which they grow or stand. Before exercising the powers above the Council shall give to the owner or occupier of the land notice requiring him within 7 days from the date of the notice to remove, cut down, or trim the trees, shrubs, hedges, or bushes designated in the notice; and if the owner or occupier defaults, the Town of Grimshaw, by its employees and others, may enter and effect the removal, cutting down or trimming at the expense of the person defaulting
- p) No person shall permit a nuisance in any condition on or around property that is untidy, unsightly, offensive, dangerous to health or which interferes with the use or enjoyment of other property, and includes:

1. uncut grasses or weeds on the property that are longer than 10 cm
  2. trees or shrubs that interfere with civic works or any public utilities
  3. dense or opaque smoke or dust emitted into the atmosphere
  4. foul smelling compost heaps
- q) No person shall permit the accumulation of wrecked or derelict vehicles, or those that are unsightly and abandoned, unregistered or uninsured. Derelict or inoperable vehicles – vehicles being repaired or restored must be kept in a garage, a carport, or in a completely screened space in the rear or side yard of the property. All vehicles must be licensed and operable. The Town of Grimshaw requires that no motor vehicle which is unlicensed or incapable of movement under its own power shall be stored in a residential district except:
- in an emergency
  - for one antique "project vehicle" – only one "project vehicle" and which is screened will be allowed in residential districts of the Town of Grimshaw
  - derelict vehicles or parts shall not remain uncovered for more than 14 consecutive days
- r) No person shall permit the accumulation of any material including garbage, building materials, tires, boxes, machine or machine parts
- s) No person shall permit the presence of graffiti, whether in the form of pictures or words, on real property or on the surface of a premises located on the property
- t) No person shall deposit or throw bottles, broken glass or other rubbish in any open space
- u) No person in control of any land or premises shall permit said property to exist in a state inconsistent with the surrounding area.

**4. Failing to Remedy Condition:**

- a) When in the opinion of the officer, a condition exists which contravenes any of the provisions of this Bylaw, the Enforcement Officer may issue a written warning notice to the owner, agent, else and/or occupier of the land in question advising them of the condition, and directing that the condition be rectified within a specific length of time. Except in extraordinary situations the maximum time allowed to rectify a condition will be 7 days.

**5. Violation and Penalty:**

Any person who:

- a) violates or does any act or things which violates any provision of the Bylaw
- b) suffers or permits any act or thing to be done in violation or contravention of any of the provision of this Bylaw; or
- c) neglects or refrains from doing anything required to be done by any of the provision of this Bylaw

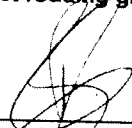
shall be guilty of an offence and shall be liable upon summary conviction to a fine of not less than \$100.00 and not more than \$1,000.00


**6. Appeal Procedure**

- a) any person who receives a written order under this Bylaw may request council to review the order by written notice
- b) after reviewing the order, the council may confirm, vary, substitute or cancel the order
- c) Appeal of Council decision:  
A person affected by the decision of council under this section may appeal to the Court of Queen's Bench within 30 days of the date the decision is served on the person if:
  1. the procedure required to be followed by this Act is not followed, or


2. the decision is patently unreasonable
- d) The application for the appeal must state the reasons for the appeal
- e) The Court may:
  1. confirm the decision
  2. declare the decision invalid and send the matter back to Council with directions
7. Should any property owner, agent, lessee or occupier fail, neglect, or refuse to remedy the condition as directed by the Bylaw Enforcement Officer, or Authorized Person, the Town of Grimshaw may cause the work to be performed to remedy the condition and charge the costs of such work as follows:
  1. to recover the same as a debt due the Town, or
  2. to charge the cost against the land concerned as taxes due and owing in respect of that land and recover the cost as such.
8. Any person who enters property to remedy a condition as directed by order of Council shall be deemed to have the authorizations of Council and shall not incur any liability therefor.
9. Upon third and final reading of this Bylaw, Bylaw No. 1014 is rescinded.


First reading given on the 23 day of March, 2005.

  
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Brian Allen, Mayor


  
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Cathie Bailey, Chief Administrative Officer

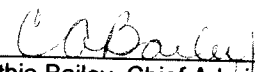
Second Reading given on the 13 day of April, 2005.

  
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Brian Allen, Mayor

  
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Cathie Bailey, Chief Administrative Officer

Third Reading and Assent given on the 13 day of APRIL, 2005.

  
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Brian Allen, Mayor

  
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Cathie Bailey, Chief Administrative Officer

SCHEDULE "A"  
COMMUNITY STANDARDS BYLAW  
GRASS POLICY

1. GRASS/WEED CONDITIONS:

Having regard to the height of the grass on adjacent or surrounding parcels, the following grass conditions shall exist on all lots, yards, developments and vacant properties within the Corporate Limits of the Town of Grimshaw and shall be maintained at respectable levels such as:

- a) Vacant Parcels:
  - i) grass shall be maintained at a height not to exceed eight inches (8").
  - ii) Weeds and weed seeds are to be controlled or destroyed by any means consistent with good agricultural practices.
  
- b) Occupied Parcels:
  - i) grass shall be maintained at a height not to exceed four inches (4").
  - ii) weeds and weed seeds controlled or destroyed immediately.

This policy is the acceptable standard that the Town of Grimshaw property owners and/or occupants shall strive to maintain.

FEES

	Amount
Administration fee for every lot or group of lots requiring enforcement of Bylaw 1065	\$100.00
Labour/contract fee – minimum 50'- maximum 65'	\$ 50.00/lot

Large areas of land shall be tendered at cost

For clean up jobs of refuse or derelict vehicles, the property owner shall be charged at cost.