



**A BYLAW OF THE RURAL MUNICIPALITY OF MCKILLOP NO. 220, IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR THE ABATEMENT OF NUISANCE WITHIN THE RURAL MUNICIPALITY OF MCKILLOP NO. 220**

**WHEREAS** Clause 8(1)(b) of The Municipalities Act provides a Municipality with the general power to pass any bylaws for the purposes of the Municipality that it considers expedient in relation to the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** Clause 8(1)(d) of The Municipalities Act provides a Municipality with the general power to pass any bylaws for the purposes of the Municipality that it considers expedient in relation to nuisances, including property, activities or things that affect the amenity of a neighbourhood;

**AND WHEREAS** Division 4 of The Municipalities Act allows for enforcement provisions for municipal bylaws;

**NOW THEREFORE**, the Council for the Rural Municipality of McKillop No. 220 in the Province of Saskatchewan enacts as follows:

**1. Short Title**

1.1. This Bylaw may be cited as **The Nuisance Abatement Bylaw**.

**2. Purpose**

2.1. The purpose of this Bylaw is to provide for the abatement of nuisances, including property, activities, or things that adversely affect:

- 2.1.1. The safety, health or welfare of people in the neighbourhood;
- 2.1.2. People's use and enjoyment of their property; or
- 2.1.3. The amenity of a neighbourhood.

2.2. This Bylaw applies to all properties located:

- 2.2.1. Within the boundaries of a Hamlet or Organized Hamlet within the RM; or
- 2.2.2. On agricultural land lying within 225 metres (738 feet) of an RM road.

**3. Definitions**

3.1. In this Bylaw;

- 3.1.1. **"Building"** means a building within the meaning of *The Municipalities Act*;
- 3.1.2. **"Council"** means the Council of the Rural Municipality of McKillop No. 220;
- 3.1.3. **"Designated Officer"** means an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purposes of this Bylaw



3.1.4 **"Dwelling"** means a building or portion of a building that is used or intended to be used as a permanent or seasonal residence and contains one or more rooms connected together as a self-contained unit that includes cooking, eating, sleeping, and sanitary facilities, and is designed for human habitation. A dwelling may be occupied on a full-time, part-time, or seasonal basis, and includes:

- Single-detached homes,
- Modular or manufactured homes,
- Mobile homes,
- Cabins or cottages, and
- Any similar structure intended for residential use.

It **does not include** recreational vehicles, tents, storage buildings, or buildings under construction that are not yet suitable for occupancy.

3.1.5. **"Fire Chief"** means the individual appointed by the RM or its contracted fire service provider to assess and manage fire-related risks;

3.1.6. **"Junked vehicle"** means any automobile, tractor, truck, trailer or other vehicle that:

(a) Either:

- (i) Has no valid license plates attached to it, if a license plate is required; or
- (ii) Is in a rusted, wrecked, dismantled, inoperative or abandoned condition; and

(b) Is located on private land, but is:

- (i) Not stored in a structure erected in accordance with applicable building bylaws;

and

- (ii) Not part of a lawful business enterprise on that land;

3.1.7. **"Nuisance"** means a condition of property, or a thing, or an activity, that adversely affects or may adversely affect:

(a) The safety, health or welfare of people in the neighbourhood;

(b) People's use and enjoyment of their property; or

(c) The amenity of a neighbourhood, and includes:

- (i) Buildings in a ruinous or dilapidated state;

(ii) Unoccupied buildings that are damaged and are an imminent danger to public safety;

- (iii) Land overgrown with grass or weeds in residential areas;

(iv) Untidy and unsightly property;

(v) Junked vehicles;

(vi) Open excavations;

3.1.8. **"Occupant"** and **"Owner"** mean as defined in *The Municipalities Act*;

3.1.9. **"Property"** means land or buildings, or both;

3.1.10. **"RM"** means the Rural Municipality of McKillop No. 220;



3.1.11. **"Structure"** means anything erected or constructed, whether temporary or permanent, that requires ground support, not including paved or open-air surfaced areas.

3.1.12. **"Recreational Vehicle"** or "RV" means any motorized or towable vehicle designed for travel and temporary accommodation, including motorhomes, campers, trailers, and boats on trailers.

#### **4. Responsibility**

4.1. Unless otherwise specified, the owner of a property, including land, buildings and structures, shall be responsible for complying with this Bylaw.

#### **5. Nuisances Prohibited Generally**

5.1. No person shall cause or permit a nuisance to occur on any property owned or occupied by them.

#### **6. Dilapidated Buildings**

6.1. No person shall cause or permit a building or structure to deteriorate into a ruinous or dilapidated state that:

6.1.1. Endangers public health or safety;

6.1.2. Substantially depreciates neighbouring property values; or

6.1.3. Detracts from neighbourhood amenities.

#### **7. Unoccupied Buildings**

7.1. No person shall permit an unoccupied building to deteriorate to a condition where it poses an imminent danger to public safety.

#### **8. Overgrown Grass and Weeds (Residential Only)**

8.1. This section applies only to residentially classified properties within Residential Districts, as per the RM of McKillop Zoning Bylaw.

8.2. No owner or occupant of land to which this section applies shall cause or permit the land to become or remain overgrown with grass or weeds. All grass on such land must be cut on a regular basis to maintain a height not exceeding 0.20 metres (8 inches).

8.3. For the purposes of this section, **"overgrown"** means vegetation, including grass and weeds, that exceeds 0.20 metres (8 inches) in height or that is unmanaged in such a way as to negatively affect the surrounding properties or pose a fire, health, or safety risk.

8.4. This section does not apply to natural gardens or landscapes deliberately planted and maintained to include wildflowers, perennials, natural grasses, shrubs, or other managed plantings.



8.5. The Fire Chief may inspect and determine if any overgrown area constitutes a fire hazard, and may direct that it be cut, trimmed, or otherwise remedied.

## **9. Untidy and Unsightly Property**

9.1. No person shall allow their property to become untidy or unsightly due to accumulation of waste, debris, excessive storage, or neglect.

## **10. Junked Vehicles**

10.1. No person shall permit junked vehicles to remain on their property unless in compliance with Section 3.1.6.

10.2. Vehicles located on agricultural land per Section 2.2.2 and **not visible** from the road are exempt from this requirement.

## **11. Open Excavations**

11.1. No person shall maintain open excavations, ditches, or pools on their land in a way that endangers public health or safety.

## **12. Maintenance of Yards**

12.1. No person shall allow:

12.1.1. Rodent, vermin, or insect infestations;

12.1.2. Dead or hazardous trees;

12.1.3. Sharp or dangerous objects to exist on their property.

## **13. Outdoor Storage of Materials**

13.1. Materials like lumber, scrap metal, or boxes must be:

13.1.1. Neatly stacked;

13.1.2. Elevated a minimum of 0.15 metres (6 inches) off the ground;

13.1.3. Located at least 3.0 metres (10 feet) from buildings and 1.0 metre (3.25 feet) from property lines.

## **14. Refrigerators and Freezers**

14.1. Must have doors, latches, and hazardous substances (e.g., freon) removed prior to being left outdoors.

14.2. Removal must comply with current environmental and safety regulations and be visibly marked.

## **15. Fences**

15.1. Fences must be maintained in a safe, upright, and reasonable state of repair.



## **16. Recreational Vehicles on Residential-Classed Undeveloped Land**

16.1. No person shall park or store any recreational vehicle on undeveloped land classified in the RM of McKillop Zoning Bylaw as **Hamlet District, Lakeshore Residential 1 District, Lakeshore Small Lot Residential 2 District, or Recreational Resort District**, unless permitted under the provisions of this section.

16.2. An owner of more than one titled lot may store recreational vehicles on a lot without a dwelling if:

- One of the titled lots under the same ownership contains a **dwelling** as defined in Section 3.1.4; and
- The lots may reasonably be parcel-tied or function together as a single residential property.

16.3. Owners of only one lot with no dwelling are **not permitted** to store recreational vehicles on their property.

16.4. This section does **not apply** to trailers covered under the RM's **Trailer Permit Bylaw**. Compliance with that bylaw remains required.

16.5. All recreational vehicles stored under this section must be:

- Insured, and
- Able to be relocated upon request.

16.6. The Bylaw Enforcement Officer may request proof of insurance at any time, which may be provided in person, by email, or by regular mail. Failure to provide valid proof of insurance within **ten (10) business days** of request may result in enforcement action.

16.7. For the purposes of this section, "**recreational vehicle**" includes but is not limited to:

- One (1) boat;
- One (1) ice shack;
- One (1) motorhome;
- One (1) camper or travel trailer;
- Other similar vehicles designed for temporary accommodation or recreational use.

16.8. Recreational vehicles may be parked on lots with dwellings provided they do not obstruct sidewalks, roads, or pose a safety hazard. The presence of recreational vehicles contrary to this section may be deemed a nuisance under this bylaw.

## **17. Enforcement**

17.1. Enforcement is delegated to the RM Administrator, who may further delegate to a Bylaw Enforcement Officer.



## **18. Inspections**

- 18.1. Authorized under Section 362 of *The Municipalities Act*.
- 18.2. No person shall obstruct an inspection under this Bylaw.

## **19. Order to Remedy**

- 19.1. Designated Officers may issue written Orders to remedy contraventions.
- 19.2. Orders must comply with Sections 364 and 390 of *The Municipalities Act*.

## **20. Registration of Notice**

- 20.1. The RM may register an interest on land titles for non-compliance under Section 364 of *The Municipalities Act*.

## **21. Appeal**

- 21.1. Orders may be appealed as per Section 365 of *The Municipalities Act*.

## **22. Municipality Remedying Contraventions**

- 22.1. The RM may take necessary actions under Sections 366 and 367 of *The Municipalities Act*.

## **23. Recovery of Costs**

- 23.1. Costs incurred by the RM may be recovered:
  - 23.1.1. Through court action; or
  - 23.1.2. By adding to the property taxes under Section 369 of *The Municipalities Act*.

## **24. Offences and Penalties**

- 24.1. No person shall:
  - 24.1.1. Fail to comply with an Order;
  - 24.1.2. Obstruct a Designated Officer;
  - 24.1.3. Violate any provision of this Bylaw.
- 24.2. The Designated Officer may issue a **Notice of Violation** with a voluntary payment of **\$1,000.00** payable within ten (10) days.
- 24.3. Payment resolves the matter unless repeated offences occur.
- 24.4. Every person who contravenes any provision of Section 18 is guilty of an offence
  - In the case of an individual, to a fine of not more than \$10,000;
  - 24.4.1.2 In the case of a corporation, to a fine of not more than \$25,000; and
  - 24.4.1.3 In the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.





**25. Repeal of Former Bylaws**

25.1 Bylaw #344/2018 and all amendments thereto are hereby repealed.

**26. Coming Into Force**

26.1 This Bylaw shall come into force on the day of its final passing.



Reeve

Administrator