



COUNTY OF BARRHEAD NO. 11
PROVINCE OF ALBERTA
BY-LAW NO. 7-99

THE UNSIGHTLY PREMISES BYLAW

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A **BY-LAW** of the County of Barrhead No. 11 in the Province of Alberta, for the purpose of regulating unsightly premises.

WHEREAS, under Section 7 of the Municipal Government Act, RSA 1994, Chapter M-26.1 and amendments thereto, a Council may pass bylaws for municipal purposes respecting several matters, one of which is identified as nuisances including unsightly property;

AND WHEREAS, the Council of the County of Barrhead No. 11 deems it advisable to implement a bylaw to regulate unsightly premises and to provide a mechanism for the remediation of property once it has been declared an unsightly premise.

NOW THEREFORE, the Council of the County of Barrhead No. 11, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This Bylaw shall be cited as the Unsightly Premises Bylaw.
2. In this Bylaw, unless the context otherwise requires,
 - A) "municipality" means the County of Barrhead No. 11
 - B) "officer" means the Development Officer or other designated officer or municipal official of the municipality.
 - C) "owner" is the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land and includes an agent, lessee or occupier of any land or premise.
 - D) "unsightly premise" means any property or part of it
 - i) which is characterized by visual evidence of a lack of general maintenance, and or upkeep, by the excessive accumulation on the premises of
 - a) any rubbish, waste materials, garbage and containers, or *Dr*
 - b) any motor vehicle as defined under the ^{Highway} Traffic Act which is inoperative by reason of disassembly or mechanical condition, or
 - c) animal waste material, construction and building materials, ashes, or other forms of waste refuse and litter,
 - OR
 - ii) which is in an untidy condition where in the opinion of the municipality is not consistent with the accepted standards of the immediate community and has a detrimental effect on the surrounding area.
 - OR
 - iii) in respect to a structure where in the opinion of the municipality is a danger to public safety.
3. No person being the owner of any land within the County of Barrhead No. 11 shall
 - A) Permit the land or premises to be or remain an unsightly premise, or
 - B) Discard, store or keep household garbage or refuse on the land within the boundaries of a designated hamlet for a period of more than fifteen days.



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4. When in the opinion of the municipality a property is an unsightly premise as defined in this By-Law, an officer may by written order
 - A) require the owner of the property to improve the appearance of the property in a manner specified, or
 - B) in respect to a property that is a structure, require the owner of the property to remove or demolish the structure and level and reclaim the site.
5. The order shall give a minimum of 14 days within which the person must comply and state that the person may appeal to Council to review the order by providing written notice within 14 days of the date the order is received.
6. Council, after reviewing the order, may confirm, vary, substitute or cancel the order.
7. If the person does not comply with the order within the 14 day appeal period to Council, the municipality may then take the action or measures required at the expense of the person.
8. The expenses and costs of an action or measure taken by a municipality are an amount chargeable to the owner and recoverable as a debt due to the County which may be added to the tax roll or a parcel of land.
9. Any owner who receives a notice, or written order requiring him to remedy any condition that constitutes an unsightly premise or that fails to comply with this Bylaw may appeal to the Provincial Court of Alberta.
10. This Bylaw shall come into force and have effect on the date of it being read a third time and passed.

FIRST READING GIVEN THIS 5th DAY OF October, 1999.

[Signature]
REEVE

[Signature] Seal
COUNTY MANAGER

SECOND READING GIVEN THIS 2nd DAY OF November, 1999.

[Signature]
REEVE

[Signature] Seal
COUNTY MANAGER

THIRD READING GIVEN THIS 23rd DAY OF November, 1999.

[Signature]
REEVE

[Signature] Seal
COUNTY MANAGER