

**Candle Lake**

**The Property Maintenance & Nuisance Abatement Bylaw**

**16-2023**

**Bylaw No. 16-2023**

**The Property Maintenance & Nuisance Abatement Bylaw**

The Council of the Resort Village of Candle Lake

**Short Title**

1. This Bylaw may be cited as The Property Maintenance & Nuisance Abatement Bylaw.

**Purpose**

2. The purpose of this Bylaw is to provide for the proper maintenance of property and the abatement of nuisances, including property or things that:

- (a) affect the safety, health and welfare of people in the neighbourhood; or
- (b) affect the amenity of a neighbourhood.

**Definitions**

3. In this Bylaw:

(a) “accessory building” means an accessory building within the meaning of The Zoning Bylaw of the Resort Village of Candle Lake.

(1.a) “building” means a building within the meaning of The Municipalities Act;  
and

(b) “Council” means the Council of The Candle Lake;

(c) “dwelling unit” means a room or series of rooms of complementary use operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

(d) “Fire Chief” means person hired by the village to manage the emergency Services Department for the village;

(e) “graffiti” means any drawing, inscription, writing or other mark that disfigures or defaces any building, accessory building, fence or other structure, however made, or otherwise affixed;

(f) “habitable room” means a room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes or any combination thereof; but does not include a bathroom, laundry, pantry, lobby, stairway, closet, service room or other space for service and maintenance of the dwelling unit;

(g) “junked vehicle” means any automobile, tractor, truck, trailer or other vehicle that:

(i) either:

(A) has no valid licence plates attached to it; or

(B) is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition; and

(ii) is located on private land, but that:

(A) is not within a structure erected in accordance with any law respecting the erection of buildings and structures in force within the Village; and

(B) does not form a part of a business enterprise lawfully being operated on that land;

(h) “municipal inspector” means an employee or agent of the Village appointed by the Fire Chief for The Resort Village of Candle Lake to act as a municipal inspector, or Peace Officer for the purposes of this Bylaw;

(i) “nuisance” means:

(i) a condition of property; or

(ii) a thing; that affects or may affect the amenity of a neighbourhood or the safety, health and welfare of people in the neighbourhood, and includes:

(iii) a building in a ruinous or dilapidated state of repair;

(iv) an unoccupied building that is damaged and is an imminent danger to public safety;

(v) land that is overgrown with grass and weeds or trees that would be considered a fire hazard;

(vi) untidy and unsightly property;

(vii) junked vehicles;

(viii) open excavations on property;

(j) “occupant” means an occupant as defined in The Municipalities Act;

(k) “owner” means an owner as defined in The Municipalities Act;

- (l) "Peace Officer" means a peace officer as defined in *Summary Offences Act*;
- (m) "property" means land or buildings or both;
- (n) "structure" means 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.
- (o) "Village" means The Resort Village of Candle Lake.

### **Responsibility**

4. Unless otherwise specified, the owner of a property, including land, buildings and structures, shall be responsible for carrying out the provisions of this Bylaw.

### **Part II - Nuisances**

#### **Nuisances Prohibited Generally**

5. No person shall cause or permit a nuisance to occur or remain on any property owned by that person.

#### **Dilapidated Buildings**

6. Notwithstanding the generality of section 5, no person shall cause or permit a building or structure to deteriorate into a ruinous or dilapidated state such that the building or structure:

- (a) is dangerous to the public health or safety; or
- (b) substantially depreciates the value of other land or improvements in the neighbourhood.

(c) buildings that have been deemed in a dilapidated state by the village shall either be demolished at the owners expense, **moved out of the village**, or rebuilt according the *National Building Code*, with a development and building permit required from the village. Failure to acquire a development and building permit from the village within one month will result in the building demolition at the owners expense. Failure to complete the rebuilding to the *National Building Code* within the permit time frame will result in the building being demolished at the owners expense.

### **Unoccupied Buildings**

7. Notwithstanding the generality of section 5, no person shall cause or permit an unoccupied building to become damaged or to deteriorate into a state of disrepair such that the building is an imminent danger to public safety.

### **Overgrown Grass and Weeds**

8. (1) Notwithstanding the generality of section 5, no owner or occupant of land shall cause or permit the land to be overgrown with grass or weeds.

(2) For the purposes of this section, “overgrown” means in excess of 20 centimetres in height.

(3) 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.

### **Untidy and Unsightly Property**

9. Notwithstanding the generality of section 5, no person shall cause or permit any land or buildings to become untidy and unsightly due to graffiti or the

accumulation of new or used lumber, cardboard, paper, newspapers, appliances, tires, cans, barrels, scrap metal or other waste materials or junk.

### **Junked Vehicles**

10. Notwithstanding the generality of section 5, no person shall cause or permit any junked vehicle to be kept on any land owned by that person.

### **Open Excavations**

11. Notwithstanding the generality of section 5, no person shall 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 is dangerous to the public safety or health.

### **Graffiti**

11.1 Notwithstanding the generality of Section 5, no person shall permit graffiti to remain on any building, accessory building, fence or on any other structure on property owned by that person.

## **Part III - Property Maintenance**

### **Duty to Maintain**

12. (1) All property, including land, buildings and structures, shall be maintained in accordance with the minimum standards prescribed in this Part.

- (2) No person shall cause or permit the occupancy or use of any property, including land, building or structures that do not conform to the minimum standards.
- (3) Notwithstanding section 4, every occupant of a property, including land, buildings and structures, shall:
- (a) keep in a clean and sanitary condition that part of the property which the occupant occupies or controls;
  - (b) maintain exits to the exterior of the building in a safe and unobstructed condition;
  - (c) dispose of garbage and refuse and keep the property free from rubbish and other debris which might constitute fire, health or safety hazards; and
  - (d) keep any supplied fixtures clean and sanitary and exercise reasonable care in their proper use and operation.

### **Division 1 - Maintenance of Yards and Accessory Buildings**

#### **Application**

13. This Division applies to all accessory buildings and yards within the Village.

#### **Maintenance of Yards**

14. (1) A yard shall be kept free and clean from:

- (a) garbage and junk;



- (b) junked vehicles and dismantled machinery;
- (c) excessive growth of weeds or grass;
- (d) holes and excavations that could cause an accident;
- (e) an infestation of rodents, vermin or insects;
- (f) dead or hazardous trees; and
- (g) sharp or dangerous materials.

(2) A yard shall be graded in such a manner so as to prevent:

- (a) excessive ponding of water; and
- (b) excessive dampness accumulating near buildings or structures.

### **Outdoor Storage of Materials**

15. (1) Any building materials, lumber, scrap metal, boxes or similar items stored in a yard shall be neatly stacked in piles and elevated off the ground so as not to constitute a nuisance or harbourage for rodents, vermin and insects.

(2) Materials referred to in subsection (1) shall be elevated at least 150 mm off the ground and shall be stacked at least 3 metres from the exterior walls of any building and at least 1 metre from the property line.

### **Refrigerators and Freezers**

16. Any refrigerator or freezer left in a yard shall first have its hinges, latches, lid, door or doors removed in accordance with *The Abandoned Refrigerator Act 1994 Sask.*

### **Walkways, Driveways and Parking Spaces**

17. If a walkway, driveway or parking space is provided, it shall be maintained so as to afford safe passage thereon under normal use and weather conditions.

### **Waste Disposal**

18. Every building shall provide a sufficient number of receptacles to contain all waste in accordance with the provisions of the Village Waste Bylaw.

### **Accessory Buildings**

19. (1) Accessory buildings shall be kept:

- (a) in good repair;
- (b) free of infestation by rodents, vermin and insects;
- (c) free of health, fire and safety hazards; and
- (d) free of graffiti.

(2) Accessory buildings shall be equipped with doors or closures and shall be kept secured so as to prevent unauthorized entry.

(3) Bunk houses shall be permitted and shall follow *The National Fire Code, National building Code and the Canadian Electrical Code*.

## **Fences**

20. Fences shall be maintained in a safe and reasonable state of repair and free of graffiti.

## **Division 2 - Building Standards (Exterior)**

### **Application**

21. This division applies to all buildings in the Village.

### **Building Components**

22. The structural components of every building, including roofs, stairs, railings, porches, decks, joists, rafters, beams, columns, foundations, floors, walls and ceilings shall be maintained in a safe condition, and shall be capable of performing the function that they were intended to perform.

### **Exterior Walls**

23. (1) All exterior surfaces shall be made of materials which provide adequate protection from the weather.

(2) Exterior walls shall be covered with an application of paint, stain, stucco, brick, stone facing or other similar protective surface to protect the walls from deterioration due to moisture penetration.

(3) Exterior walls shall be free of holes, breaks, loose or rotting boards or timbers or any other conditions which might admit rain or dampness to the interior walls or the interior spaces of the building.

- (4) All exterior surfaces shall be free of graffiti.

## Roofs

24. (1) A roof, including the fascia board, soffit, cornice flashing and ice guards shall be maintained in good condition to prevent damage to, or deterioration or leakage of water into the building.

(2) Loose materials, including dangerous accumulations of snow and ice, shall be removed from the roof of a building as soon as reasonably possible so as to prevent damage to the building, adjacent buildings, or injury to persons in or near the building.

(3) Water running off a roof shall be carried away from the building so as not to cause dampness in the walls, ceilings or floors in the building but it shall not drain onto a public street so as to create a hazardous condition or onto any adjacent property so as to damage that property.

(4) Eaves-troughs and downspouts shall be watertight and maintained in good repair.

## Chimneys

25. (1) Chimneys, flue pipes and smoke stacks shall be maintained in good repair so as to prevent gases, water or any other substance from leaking into the building in accordance with *The National Building Code of Canada*.

(2) Chimneys, flue pipes and smoke stacks shall be free of any defects.

(3) Chimneys, flue pipes and smoke stacks shall have all defective masonry or metal components repaired or replaced as needed in accordance with *The National Fire Code of Canada*.

(4) Chimneys, flue pipes and smoke stacks shall be kept clear of obstructions.

### **Exterior Doors, Storm Doors, Windows and Screens**

26. (1) A door shall be provided at each entrance to a building and when closed it shall be reasonably tight-fitting within its frame.

(2) Exterior doors, storm doors and storm windows shall be kept in a reasonable state of repair, and shall be weather-tight so as to perform their intended function.

(3) Openable windows within two metres of ground level shall have an acceptable locking mechanism.

(4) Exterior doors shall have an acceptable locking mechanism.

(5) Windows and glass doors which separate heated space from unheated space or the exterior shall be at least double glazed unless there is a separate storm door or window.

(6) Windows and doors which open to the exterior and which are used for natural ventilation shall be screened so as to provide protection from the weather and insects. Screening shall be of rust-proof material and shall not be less than #16 gauge screen.

### **Stairs, Porches, Decks and Railings**

27. (1) Stairs, porches, decks and railings shall be maintained in good repair so that no components are broken, loose, rotted or warped.

(2) A handrail shall be installed on at least one side of all exterior stairs having more than three risers.

### **Division 3 - Building Standards (Interior)**

#### **Application**

28. This Division applies to all buildings in the Village.

#### **Floors and Stairs**

29. (1) Floors and stairs shall be free of loose, warped, protruding or rotting floor boards.

(2) Floor and stair coverings, including tiles, linoleum and carpeting, shall be kept in a reasonable state of repair.

#### **Walls and Ceilings**

30. (1) Every wall and ceiling shall be maintained in good condition and free from holes, large cracks, loose plaster and other hazards.

(2) Every wall and ceiling shall be painted or finished in a suitable manner.

(3) The surface of every wall and ceiling shall be maintained in a reasonably clean and sanitary condition. Surfaces shall be cleaned so as to avoid buildup or grease or other flammable material.

## **Plumbing, Heating and Mechanical Standards**

### **Water Supply**

31. (1) Every building shall have access to an adequate supply of potable running water.

(2) Every sink, wash basin, laundry, bathtub, or shower in a building shall have an adequate supply of hot and cold running water.

(3) Every toilet shall have an adequate supply of running water.

### **Plumbing Facilities**

32. (1) All plumbing facilities in a building, including fixtures, drains, water pipes and connections to the water and sewer systems shall be protected from freezing, be maintained in good working order and be free from leaks or other defects. All connections to Sewage tanks shall be maintained in good working condition and shall not be permitted to over flow as to cause a bio-hazard in accordance with *The Public Health Act 1994*;

(2) All bathrooms shall be fully enclosed and fitted with a door capable of being locked from the inside in order to provide privacy for the occupant.

(3) Seats shall be provided for all toilets and the seats shall be kept in good repair.

### **Gas and Open Flame Type Appliances**

33. (1) Gas stoves, water heaters and other gas appliances shall be equipped with suitable pipes or flues for the removal of the products of combustion.

(2) All gas appliances shall be of an approved type, shall be installed in an approved manner and shall be kept in a proper state of repair.

### **Fireplaces**

34. (1) Fireplaces and similar installations used or intended to be used for burning fuels in open fires, shall be connected to approved chimneys, smoke pipes, flues or gas vents.

(2) Fireplaces and similar installations shall be installed in accordance with the manufacturer's instructions and in accordance with *The National Building Code of Canada*.

(3) Fireplaces and similar installations shall be installed so that adjacent combustible materials and structural members are not over-heated to an unsafe condition.

(4) All chimneys, smoke pipes, flues or gas vents used in connection with a fireplace or similar installation shall be free of leaks and be maintained in a proper state of repair in accordance with *The National Fire Code of Canada*

### **Ventilation**

35. (1) Every basement, crawl space and similar space shall be adequately ventilated to the outside.

(2) Every opening for natural ventilation other than windows shall be constructed to provide protection from the weather, rodents and insects.

(3) Screening shall be of rust-proof material.



## **Electrical Services**

36. (1) All buildings shall be supplied with electrical service that is adequate to safely meet the electrical needs of the building. in accordance with *Canadian Electrical Code*.

(2) If an electrical outlet currently exists in a bathroom, it shall be an approved outlet. If any new electrical outlet is installed in a bathroom, it shall be the Ground Fault Circuit Interrupter (GFCI) type.

(3) Extension cords, if used, shall be of an approved type and shall not exceed the circuit capacity.

(4) Extension cords shall not be used in lieu of permanent wiring for electrical outlets, lighting fixtures and switches or out buildings.

## **Light**

37. (1) Light shall be available at all times in every stairway, corridor, hall, storage room and service room in a building.

(2) The average level of light in corridors and stairways shall be at least 50 lx at floor or tread level.

## **Egress**

38. (1) Every building shall have a means of egress so as to provide a safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.

(2) Every means of egress shall be maintained in good repair and free of obstructions which constitute a fire hazard.

### **Structural Standards**

39. (1) Every foundation wall forming part of a building shall be maintained in good repair and be structurally sound so as to prevent undue settlement of the building.

(2) Every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any normal load to which it may be subjected.

(3) Materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

### **Division 4 - Additional Standards for Dwelling Units**

#### **Application**

40. (1) This Division applies to all dwelling units in the Village.

(2) The requirements of this Division are in addition to the requirements of Divisions 2 and 3.

#### **Habitable Environment**

41. Every dwelling unit shall provide a safe and sanitary environment for the occupants in accordance with the requirements of this Division.

#### **Potable Water Supply**

42. Every dwelling unit shall be supplied with hot and cold running water. The drinking water must be potable.

### **Heating**

43. (1) Every dwelling unit shall be equipped with adequate heating facilities properly installed and maintained in safe and good working condition.

(2) Heating facilities shall be capable of maintaining an indoor temperature of 20 degrees Celsius when the outside temperature is minus 35 degrees Celsius. The required temperature shall be taken at a height of 750 mm from the floor in the centre of each occupied room.

(3) Portable room heaters shall not be used as a primary source of heat.

(4) Fuel-burning equipment shall be vented by means of rigid connections to a chimney or flue which provides a sufficient outlet for the escape of all noxious gases.

(5) Service rooms shall not be used for sleeping.

### **Sanitary Facilities**

44. (1) Every dwelling unit shall be provided with:

- (a) a toilet;
- (b) a wash basin; and
- (c) a bathtub or shower.

(2) In every dwelling unit where sanitary facilities are shared:

(a) all occupants shall have convenient access to a bathroom, wash basin and bathtub or shower;

(b) all required facilities shall be located within the building so as to be accessible from a common hall or passageway without going outside the building or through another occupant's quarters;

(c) all required facilities shall not be located more than one floor away from the dwelling unit; and

(d) the number of occupants sharing the use of a bathroom, wash basin and bathtub or shower shall not exceed 10 persons.

(3) Bathtubs, showers or toilets shall not be located in any habitable room.

(4) The wash basin shall be in the same room as the toilet or in an accessible adjoining room.

(5) All bathrooms shall have mechanical or natural ventilation.

(6) All bathrooms shall be fully enclosed and fitted with a door capable of being locked from the inside in order to provide privacy for the occupant.

(7) Sewage shall be properly discharged into a private sewage system, and shall not over flow as to create a biological hazard.

## **Ventilation**

45. (1) Unless a satisfactory alternative means of ventilation is provided, every habitable room shall have at least one window which can be easily opened.

(2) Where a system of mechanical ventilation is provided, it shall be designed and installed in accordance with the current *National Building Code of Canada*.

(3) All enclosed spaces within a dwelling unit shall:

- (a) be adequately ventilated;
- (b) have access of sufficient size to permit entry; and
- (c) be fitted with a door or panel to enclose the opening except when the access opening is from the adjacent basement and provides ventilation to the crawl space.

### **Electrical Facilities**

46. (1) Every habitable room, other than a kitchen, shall have at least one approved electrical outlet.

(2) Every kitchen shall have at least two approved electrical outlets. If a new electrical outlet is installed within 1.8 metres of the kitchen sink, the new outlet shall be of the Ground Fault Circuit Interrupter (GFCI) type.

(3) At least one lighting outlet with fixture shall be provided in every kitchen, utility room, laundry room, dining room, bathroom, hallway, stairway, storage room and service room. The fixture shall be permanently installed and shall be maintained in good working order.

### **Kitchen Facilities**

47. (1) Unless otherwise approved, every dwelling unit shall be equipped with safe and adequate cooking facilities for the occupants.

(2) A counter work surface at least 1500 mm long and 500 mm wide, including the area occupied by the kitchen sink, shall be provided in the kitchen.

(3) A clearance of at least 750 mm shall be provided above the heating elements of any cooking appliance.

### **Fire Safety Standards**

48. (1) If more than one dwelling unit is located above the first floor, every dwelling unit located on each floor above the first shall have access to a second means of egress which shall not pass through a room in another dwelling unit.

(2) Smoke alarms shall be installed in each dwelling unit in accordance with the current *National Fire Code of Canada*.

(3) Smoke alarms shall be inspected, tested and maintained in accordance with the current *National Fire Code of Canada* and be in accordance with *RVCL Fire Prevention Bylaw*.

(4) Smoke alarms within dwelling units shall be installed between each sleeping area and the remainder of the dwelling unit and, if the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallway.

(5) Smoke alarms shall be installed on or near the ceiling.

### **Division 5 - Basement and Attic Occupancies**

#### **Application**

49. (1) This Division applies to dwelling units in basements and attics.

(2) The requirements of this Division are in addition to the requirements of Divisions 2, 3 and 4 of this Part.

#### Special Requirements for Basement and Attic Occupancies

50. Notwithstanding the other requirements of this Part, basement and attic space shall not be used as a dwelling unit or habitable room unless it meets the following requirements:

(a) access to every dwelling unit or habitable room shall be gained without passage through a service room;

(b) every dwelling unit shall be separated from another dwelling unit (walls and ceilings) by a fire separation having a fire-resistance rating of not less than 30 minutes;

(c) every service room shall be separated from all adjacent areas by a fire separation having a fire-resistance rating of not less than 30 minutes (walls only). Every service room shall have a solid core door complete with a latch and closer;

(d) an interior stairway, used for the purpose of exiting a dwelling unit, shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 30 minutes;

(e) every doorway providing egress from a dwelling unit to an exit or a means of exit shall be equipped with a door and frame having a fire resistance rating of not less than 20 minutes. (A 45 mm thick solid core door and 38 mm solid wood casings are acceptable). The door shall be equipped with a latch and closer;

(f) the rise, run, tread depth, width and head room of stairs forming part of an interior stairway used for the purpose of exiting a dwelling unit shall reasonably conform to the current *National Building Code of Canada*, and the stairs shall have a handrail installed on at least one side;

(g) an exit corridor forming part of a means of egress from a dwelling unit shall have a minimum ceiling height of 1.95 metres. Projections or obstructions into an exit corridor shall not reduce the ceiling height to less than 1.80 metres;

(h) every room in a dwelling unit shall have a minimum ceiling height of 1.95 metres over not less than 75% of the room area. Projections or obstructions in the room shall not reduce the ceiling height to less than 1.80 metres;

(i) smoke alarms in a dwelling unit shall be installed by permanent connections to an electrical circuit and shall be located and maintained in accordance with the current *National Fire Code of Canada*;

(j) a smoke detector shall be installed in every service room, and shall be wired so that the activation of the smoke detector will cause the smoke alarm in the first storey dwelling unit to sound;

(k) every dwelling unit shall have at least two outside windows openable from the inside without the use of tools or special knowledge. Every bedroom in a dwelling unit shall have at least one openable window. Windows shall provide unobstructed openings with areas not less than 0.35 square metres and with no dimension less than 380 mm;

(l) a separate source for fresh combustion air shall be provided in every service room.

### **Changes Required to First Storey Dwelling Unit**

51. If basement or attic space is used as a dwelling unit or habitable room, a dwelling unit on the first storey shall, in addition to the other standards prescribed by this Part, meet the following additional requirements:

(a) every doorway providing egress from a first storey dwelling unit to an exit or a means of exit shall be equipped with a door and frame having a fire-resistance rating of not less than 20 minutes. (A 45 mm thick solid core door and 38 mm solid wood casings are acceptable). The door shall be equipped with a latch and closer;



(b) smoke alarms in the first storey dwelling unit shall be installed by permanent connections to an electrical circuit and shall be located and maintained in accordance with the current National Fire Code;

(c) smoke alarms in the first storey dwelling unit shall be wired so that the activation of the smoke detector in the service room of the building will cause the smoke alarms to sound.

#### **Part IV - Enforcement, Offences and Penalties**

##### **Enforcement of Bylaw**

52. (1) The administration and enforcement of this Bylaw is hereby delegated to the Fire Chief for The Resort Village of Candle Lake.

(2) The Fire Chief for The Resort Village of Candle Lake is hereby authorized to further delegate the administration and enforcement of this Bylaw to municipal inspectors or Peace Officer.

##### **Inspections**

53. (1) The inspection of property by the Village to determine if this Bylaw is being complied with is hereby authorized.

(2) Inspections under this Bylaw shall be carried out in accordance with part IV of the *Fire Safety Act*.

(3) No person shall obstruct a bylaw inspector or Peace Officer who is authorized to conduct a inspection under this section, or a person who is assisting a bylaw inspector.

### **Order to Remedy Contraventions**

54. (1) If an inspector finds that a person is contravening this Bylaw, the inspector may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.

(2) Orders given under this Bylaw shall comply with part IV of *The Fire Safety Act*.

(3) Orders given under this Bylaw shall be served in accordance with part IV of *The Fire Safety Act*.

### **Registration of Notice of Order**

55. If an order is issued pursuant to section 54, the Village may, in accordance with part IV of *The Fire Safety Act*, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.

### **Appeal of Order to Remedy**

56. (1) A person may appeal an order made pursuant to section 54 in accordance with part IV of *The Fire Safety Act*.

(2) The Board shall consist of five members appointed by Council. A quorum shall consist of three members.

### **Village Remedying Contraventions**

57. The Village may, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.

### **Civil Action to Recover Costs**

58. The Village may, collect any unpaid expenses and costs incurred in remedying a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

### **Adding Amounts to Tax Roll**

59. The Village may, add any unpaid expenses and costs incurred by the Village in remedying a contravention of this Bylaw to the taxes on the property on which the work was done.

### **Emergencies**

60. In the event that it becomes an emergency to remedy a contravention of this Bylaw, the Village may take whatever actions or measures are necessary to eliminate the emergency.

### **Offences**

61. (1) No person shall:

- (a) fail to comply with an order made pursuant to this Bylaw;
  - (b) obstruct or hinder any municipal inspector or any other person acting under the authority of this Bylaw; or
  - (c) fail to comply with any other provision of this Bylaw.
- (2) Every person who contravenes any provision of subsection (1) is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$10,000;
  - (b) in the case of a corporation, to a fine of not more than \$25,000; and,
  - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.
- (3) If an individual is convicted of an offence pursuant to this section, and if the individual fails to pay the fine with respect to the conviction within the prescribed time, the individual convicted may be imprisoned for a term of not more than one year, unless the fine is paid sooner.

### **Minimum Penalty**

61.1 Notwithstanding subsection 61(2), the minimum penalty that may be prescribed on summary conviction shall be:

- (a) where a person contravenes any provision of this Bylaw for which a Notice of Violation may be issued pursuant to section 61.2:
  - (i) for a first offence, \$250;
  - (ii) for a second offence, \$500; and

- (iii) for a third or subsequent offence, \$750; and
- (b) where a person fails to comply with an Order to Remedy Contravention made pursuant to section 54 of this Bylaw:
  - (i) for a first offence, \$500;
  - (ii) for a second offence, \$750; and
  - (iii) for a third or subsequent offence, \$1,000.

### **Notice of Violation Offences**

61.2 (1) Notwithstanding the generality of subsection 61(1), a person contravenes this Bylaw by causing or permitting:

- (a) the land to be overgrown with grass or weeds;
- (b) the land or buildings on the land to become untidy and unsightly;
- (c) any junked vehicle to be kept on the lands; or
- (d) any dangerous open excavation to exist in or on the land or in or about any building or structure.

(2) The following procedure shall apply to contraventions of the Bylaw under this section:

- (a) a municipal inspector may issue a notice of bylaw violation to any person committing a contravention under subsection (1). The notice shall require the person to pay to the Village the penalty set out below:
  - (i) for a first contravention, \$250;

(ii) for a second contravention, \$500; and

(iii) for a third contravention, \$750;

(b) the fine may be paid:

(i) in person, during regular office hours, to the cashier located at Village Office, Candle Lake, Saskatchewan;

(ii) by mail addressed to the Village Office 320 Hwy. 265 Candle Lake S0J3E0;

(c) if payment of the fine as provided in clause (2)(a) is made prior to the date when the person contravening the Bylaw is required to appear in court to answer a charge, the person shall not be liable to prosecution for that offence;

(d) the amount of the fine under sub-clause 2(a)(i) shall be discounted to the sum of \$200 for a first offence if paid within 14 calendar days of the date of the notice of bylaw violation. The date of payment shall be determined as follows:

(i) for payment in person, the date of the payment shall be the date payment is received by the Village;

(ii) for payment by mail, the date of payment shall be the post marked date on the remittance.

Upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence.

(3) The provisions of subsection (2) shall not apply in the case of a fourth or subsequent contravention.

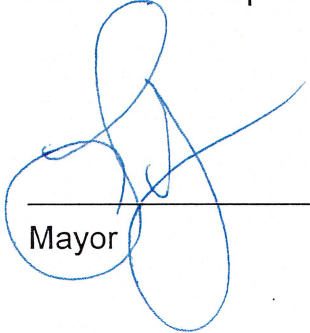
**Coming Into Force**

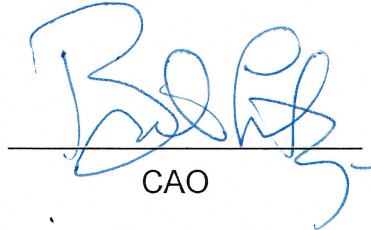
63. This Bylaw shall come into force on the day of its final passing.

Read a first time this 14<sup>th</sup> day of September, 2023.

Read a second time this 14<sup>th</sup> day of September 2023.

Read a third time and passed this 14<sup>th</sup> day of September 2023.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
CAO



*BK*  
CERTIFIED TRUE COPY  
Sept. 19/2023